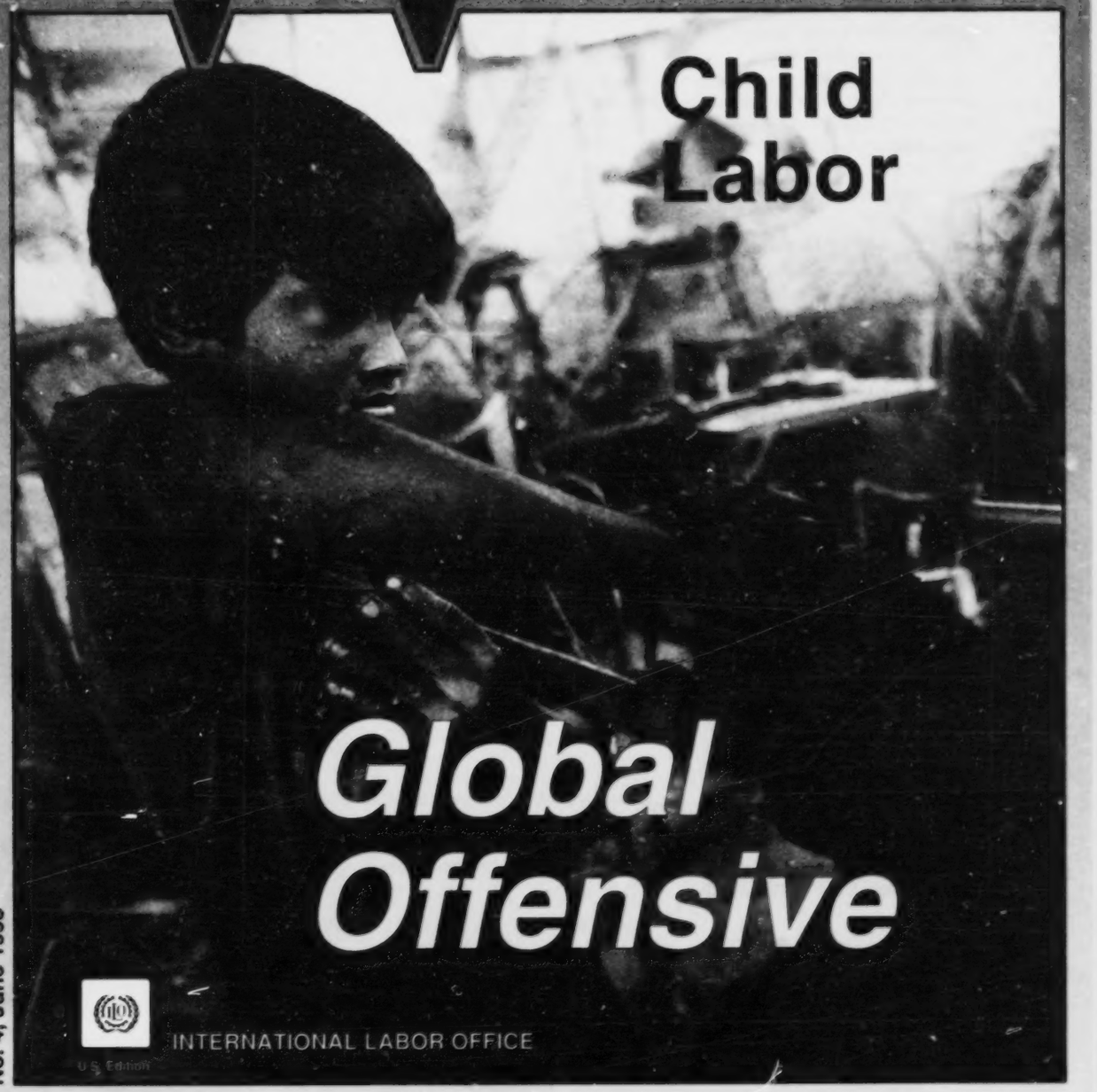
# World of Work

THE MAGAZINE OF THE ILO



## Child Labor

## *Global Offensive*

No. 4, June 1993

INTERNATIONAL LABOR OFFICE

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Editorial

# The time is now

Jacques Maillard

As the Dossier section in this issue amply reveals, child labor remains the most disquieting of social problems, as much because of the number of children involved as because of the seriousness of the abuses and the risks to which they are exposed.

In emphasizing the abolition of this scourge, the relevant international labor standards, particularly Convention 138 and Recommendation 146 on the Minimum Age for Admission to Employment, bear witness to a three-fold conviction: childhood is a period of life which should be devotednot to work but to education and training; child labor, by its very nature and the conditions in which it is carried out, often compromises children's potential to become productive and useful adults in society; finally, the use of child labor is not inevitable, and progress toward its elimination is possible whenever there is political will to oppose it with determination.

The total abolition of child labor will admittedly take a long time, given the profound causes: the poverty of families, the inadequacies of education systems, inaction if not total resignation in face of the problem. Yet a step toward the goal must now be taken without further hesitation, beginning with the most intolerable situations, such as the use of children in forms of employment, industries and occupations obviously harmful to their physical, intellectual or moral development, or the employment of very young children, who are particularly vulnerable.

It is to help member States begin this painful process that the ILO initiated a new strategy in 1991 which aims, through utilization of acquired resources, regular as well as extra-budgetary, to strengthen its capacity to intervene. An interdepartmental project on the abolition of child labor, financed in 1992-93 by the ILO's own funds, puts more technical departments than ever before in a position to study possible plans of action. Thanks to a generous donation from the German Government, an international program on the elimination of child labor, called IPEC, now attempts to guarantee a more active ILO presence in the field, in countries which indicate a desire to receive technical assistance. The two ILO initiatives are complementary: the possible areas of action proposed after studies carried out at ILO Headquarters aid the operational activities of IPEC, and are in turn enriched by the field experience to which IPEC exposes them.

Child labor is extremely expensive, first of all for the children, then for society in general. Poverty is not a blanket excuse and there are limits to what a human society worthy of the name can tolerate. The current situation of *laisser-aller* has to stop. We must act now. The battle against child labor concerns all of us, above all the tripartite constituency of the ILO. The ILO is ready to aid by all means at its disposal those countries which wish to enlist its support in bringing this enterprise to a successful conclusion.

**Michel Hansenne**
*Director General*



READEX
FICHE

# "An evil unbearable to the human heart"

***At the dawn of the 21st century, in an age of computers and robots on production lines, society still accepts that millions of children sacrifice their childhood, their health and their future working at jobs they are not strong enough to do. With the launching of the International Program for the Elimination of Child Labor (IPEC), operational since the beginning of this year, the ILO embarks on a course of action without precedent, to put an end to this scandal and tragic waste of human resources.***

"It is the exploitation of childhood which constitutes the evil the most hideous, the most unbearable to the human heart ..."

The words are those of Albert Thomas, first Director of the International Labor Office. Thomas went on to insist that "serious work in social legislation begins always with the protection of children".

From the beginning the International Labor Organization has devoted an important part of its standard-setting activity to the abolition of child labor, one of the worst scandals of the industrial revolution.

Several months after its foundation in 1919, the ILO adopted a Convention prohibiting work by children under 14 years of age in industrial undertakings. Other Conventions followed, outlawing child work at sea, in fishing, agriculture, non-industrial enterprises and mines.

Convention No. 138 (1973) concerning the Minimum Age for Admission to mployment is a decisive landmark in international legislation. Each country ratifying this Convention undertakes to

– pursue a national policy designed to ensure the effective abolition of child labor;

– specify a minimum age for admission to employment or work which will not be less than the age of completion of compulsory schooling;

– to raise this progressively to a level consistent with the fullest physical and mental development of young people;

– guarantee that the minimum age of admission to any type of employment or work which is likely to compromise the health, the safety or the morals of young persons shall not be less than 18 years.

These standards reflect the conviction that childhood is a period of life which should be devoted not to work but to education and development, and that child labor often destroys children's chances of a productive future. They codify the belief that child labor is not inevitable: it can be reduced and eradicated when the political will to fight it exists – irrespective of the national economic circumstances.

At international level, the framework of the social legislation envisaged by Albert Thomas three-quarters of a century ago now exists. All countries have the model to follow, and can tap ILO expertise in putting it in place and making it effective.

Unfortunately, public awareness of this problem is still inadequate. By adopting the Declaration on the Rights of the Child in 1959, the United Nations recognized that humanity "owes to the child the best it has to give ...". But there is always a gulf between words and deeds.

**In poor families young girls often do household chores so their mothers can work elsewhere. But girls also work often as domestic servants in rich families. In Colombia, for example, 40 per cent of working children are domestic servants.**

J.P. Laffont

## Precept, performance

Some details from among many others emphasize this persistent gulf:

– The best that was given to a 12-year-old house servant in Sri Lanka was a can of kerosene and a lighted match. She was burned to death.

– Children were recently found by US Department of Labor inspectors in a New York garment workshop "in conditions considered barbaric half a century ago". It was so cold, the inspectors said, that workers could run their fingers under the cutter and not even know it.

– Child victims of South Asian labor traffickers are preferred jockeys for camel racing in some Gulf countries, the ILO reports, "not just because they are light but more because their shrill cries of

**The majority of children who have to work are employed in agriculture, either on the family farm or on a commercial exploitation. They begin with easy jobs but must often do the most difficult ones as well.**

fear stimulate the animal to run faster".

The dreadful catalog of abuse knows no end. Cases like those reported above could be multiplied literally millions of times. More precisely, 100 or 200 million times, for that is the statistical range of the evil estimated by the ILO. "Secrecy and isolation" cloak child labor so effectively that numbers cannot be counted accurately.

## Protection, abolition

As the ILO approaches its fourth quarter-century it has rightly targeted child labor as a top priority.

It does so with some confidence. In the early 1980s the Organization had to rebuke some States which had been lacking in their duty to child protection laws by invoking "the pretext of poverty and under-development for the continued transgression of universally accepted values". Today there is more encouraging evidence that a certain number of governments - spurred by human rights groups, stung by media exposure and incessantly monitored by the ILO's standards supervisory bodies - are genuinely prepared to act.

The ILO has launched a vigorous new offensive, based on the absolutes of its human rights principles. The effort began in 1992-1993 with the establishment of an Interdepartmental Program bringing together the relevant technical expertise of the ILO in the field of child labor and is now substantially reinforced with the creation of the International Program for the Elimination of Child Labor (IPEC).

Made possible by a DM 50 million donation from Germany, IPEC mobilizes at grass roots the forces best placed to translate principle into practice: the governments, employers' organizations and workers as well as NGOs in the field. The project is now operational on three continents, working directly with countries which have openly recognized the severity of the problems they face.

Abolition remains implacably the objective. While the long, complex work of achieving it is in progress, the abolition of child labor in the dangerous types of employment, industries and occupations as well as the protection of children who have to work are the emergency priorities.

And an emergency it is, demanding immediate, universal engagement. Children have only one childhood. They cannot wait. The best that mankind has to give must be given now.

**Peter Sutcliffe**

## THE NORTH

**In the industrialized countries child labor has become a relatively marginal phenomenon, but it has never disappeared entirely and is witnessing a certain increase with economic recession.**

- **The Mediterranean countries are among the most affected. In Italy, tens of thousands of children work in the leather and shoe industries (particularly in the Naples area), but also in agriculture and in certain service sectors. In Portugal, cases have been cited of young girls working in clothing sweatshops or doing paid labor at home.**
- **In Birmingham (UK) a recent study revealed that 43 per cent of children between 10 and 16 years of age work over the legal limit in one way or another. Some 75 per cent are illegally employed.**
- **In the U.S. some 28 per cent of 15-year-olds and 51 per cent of 16-17-year-olds are employed during a given period of the year. Of those who work, there are more children from affluent than from poor families, but the children from poor families work far more frequently in agriculture and certain industries or activities reputed to be dangerous. According to a report to Congress, about one-fifth of 15-year-olds work in violation of existing labor legislation.**
- **In Russia, a recent study shows that the social and economic changes there are leading to an increase in the labor of children and adolescents, usually in the form of self-employment. Half of the young workers covered by the study were under 15.**

**In addition, for some years now there has been increasing and extensive use of children in the entertainment industry, advertising, and other sectors of "show business", where the risk of exploitation is quite real. In Belgium, for example, one study revealed that children's participation in photography sessions is handled by agents who recruit them on a large scale. Attracted by the possibilities of financial reward, certain parents are constantly on the lookout for new contracts, and often enough the day and the hour of the photography sessions, fixed by the agency, ignore school-attendance requirements.**

Thousands of children literally work as forced labor in brick kilns, rock quarries or mines. They are also involved in a large number of other industrial or artisanal occupations, in all kinds of manufactures or enterprises in the informal sector.

"In allowing child labor to continue and increase in these types of employment, society is today wasting human resources which will be needed tomorrow."

# Fighting indifference and inaction

***Universally condemned as an intolerable disrespect for human dignity and an enormous waste of human resources, child labor persists nonetheless. Even more than poverty or the shortcomings of the educational and legal systems, it is indifference and inaction that must be denounced and combatted, explains Claude Dumont, Chief of the ILO's Conditions of Work and Welfare Facilities Branch, in charge of the interdepartmental project on the abolition of child labor.***

**World of Work:** ***The ILO and the international community are making an unprecedented effort to reduce child labor. But that can mean many things. Should we not be clear about what we aim to achieve?***

***Claude Dumont:*** Naturally, the ILO is not against all forms of child work. We have no problem with the little girl who helps her mother with the housework or cooking, or the boy or girl who does unpaid work in a small family business. Quite the contrary. By performing simple tasks or helping in a family enterprise, they can pick up skills that are handed down from generation to generation, and this makes it easier for the children to integrate into society. This sort of work can even be a source of satisfaction for the child because the child assumes its responsibilities and can be proud of what it can do. The same is true of those odd jobs that children may occasionally take on to earn a little pocket money to buy something they really want, provided, of course, that the odd job is not dangerous or illegal.

***– So when we condemn child labor, what exactly do we mean?***

– The ILO is opposed to work carried out by children, either as paid or independent labor, when this work has become a daily necessity which inevitably deprives the child at the educational and social levels; when this work may harm the child's safety and health, such as the work in the coal mines of Colombia, in tanneries where chemical products are used as in Cairo, in glass-making works, in carpet factories in India, Pakistan or Nepal, on farms where insecticides or pesticides are used. The ILO also opposes all forms of work which can offend children's morality, such as prostitution, or their dignity, such as the forced labor and debt bondage still very current in Southern Asia.

In short, the ILO is against all forms

of work in which the child is exploited, where advantage is taken of its weakness, where it is exposed to risks or is prevented from receiving education and training. Put more simply, the ILO combats all forms of labor which deprive the child of its right to childhood.

***– By protecting children, are we not protecting the future of society as a whole?***

– Precisely. Work in ways indicated above seriously inhibits the children's physical, intellectual and moral development. Consider for example the case of a little girl who works every day as a domestic servant: she is often badly treated, she has little or no contact with other children her age, she does not attend school regularly. What sort of future can she expect? In allowing child work to continue and increase in these types of employment, society is today wasting human resources which will be needed tomorrow. It may well seem reasonable, on a strictly economic basis, to put children to work, particularly given the poverty in the Third World and the inability of governments to provide aid to the poorest families. In any case, the long-term costs of such labor, for the child itself and for society, are extremely high, far higher than the immediate benefits to the family.

***– But poverty doesn't explain everything...***

– No, of course. There are also the quantitative and qualitative inadequacies of educational systems. According to UNESCO, in 1985 in the developing countries 28 per cent of children of primary school age did not attend school and 55 per cent did not follow secondary education because of a lack of schools and teachers. Loopholes in protective legislation (which, as a rule, applies only to the organized production sector) and in the way legislation is enforced, are another reason. It should also be pointed out that if children work it is because they are employed, which means that child labor is an economically interesting proposition. Indeed, as a workforce, children are much cheaper than adult labor, more docile, relatively uncomplaining, and more nimble at certain tasks such as carpet weaving.

All these reasons apart, however, there is one point I wish to insist upon: indifference and lack of political will. The example of Kerala shows what can be done where such a will exists. Kerala, one of the poorest States of India, has concentrated on the education of its youth: it spends more than twice the national average on this. All children of primary school age actually go to school, as do 88 per cent of the children of secondary school age. As a result, less than 3 per cent of all children work, while in the less poor States, the incidence of child labor can reach as much as 30 per cent.

Indifference, inaction, resignation, the lack of a collective will: these are the ills that we have to struggle against with all our force. All too often governments consider that having enacted legislation prohibiting the employment of children and taken a few measures to apply it, they have done all that is required of them; but legislation is not an end in itself but only one means among many. Workers' organizations are only hardly involved in the struggle, perhaps because it is a problem of the informal sector of the economy, where these organizations are sparsely represented. The parents themselves sometimes have doubts as to the efficiency of the educational system and prefer to put their children to work rather than see them "waste their time" on what they consider useless studies. Finally, public opinion remains indifferent, as if people feel that child labor is a part of the normal course of things. The result is that up until now in the majority of the countries of the Third World, there has not been sufficient pressure on public authorities to cause matters to change. Non-governmental organizations have certainly done good work, but lacking sufficient financial means, they have been able to reach only a very small minority of childworkers. One of the indispensable keys to success in combating child labor is to change attitudes at all levels of society.

***– The ILO adopted standards in this area from 1919 to 1973. Is there no way of having these texts respected?***

– Of the total number of standards adopted, the ratification rate by member States is not bad. The problem is the implementation of these instruments, the gap that exists between the legal theory and the practical reality of child labor. Fortunately, we have monitoring mechanisms to ensure that many positive measures are taken. But that is just one means – we also have others.

***– Indeed, the ILO now seems to be placing greater priority on more practical activities.***

– There have been three distinct stages in the activities the Organization has undertaken to combat child labor. From 1919 to 1973, there was the legislative phase when we were completing our standards up to Convention 138 and Recommendation 146, which constitute the present doctrine in this area. Then, through our publications and our meetings, we exposed the problem publicly by denouncing abuses committed and highlighting the results of certain positive actions. More recently on we have been involved in a technical assistance phase to help member States who ask for it.

We had first to convince them that they could do this without loss of face, then enlarge our very limited financial resources. The generous donation made by Germany and supplemented by Belgium and soon, we hope, by other countries, has helped us build a world-wide assistance program (see pp.8-9). Let us say simply that this program aims to create a climate conducive to action, followed by the development of domestic institutional capacity, and to encourage pilot activities, evaluate them, and promote similar programs elsewhere.

Finally, I should like to stress the urgent need for action. We have, for too many years, placed excessive confidence in economic growth as the panacea for problems such as those relating to child labor and poverty. We cannot just let things go any longer. It's time to act. That is what we are doing. ⌟

**(Interview by Michel Fromont)**

### OBJECTIVE: ABOLITION

*The prime objective of ILO activities is the abolition of child labor. But it will take a long time to attain. For children who cannot avoid having to work, there must be guarantees that they are adequately protected. It is understood that this is merely part of a policy of gradual abolition.*

*ILO technical co-operation is aimed above all at helping States members define and develop such a policy at national level. This includes three types of measures:*

- *measures which attempt urgently to put an end to what is intolerable: the employment of children who are very young, or in hazardous occupations;*
- *measures attempting to change attitudes and behavioural patterns;*
- *measures which, without explicitly aiming at child labor, act on the causes of it.*

# Concerted international action for children

***When the ILO adopted the Convention Fixing the Minimum Age for Admission of Children to Industrial Employment (No. 5) in 1919, the year of its foundation, it was carrying out the work of a pioneer in the struggle against child labor. It has since been joined by other international organizations, either non-governmental or UN agencies, which strive together against the exploitation of children.***

The General Assembly of the United Nations adopted the Declaration of the Rights of the Child in 1959, but the international movement to combat child labor really attained full force in 1979, the International Year of the Child. At the present time many UN agencies are engaged in specific actions in this area. ILO activity is naturally being developed in collaboration with all of these organizations together.

## Within the United Nations

● **The Human Rights Committee** has created the Working Group on Contemporary Forms of Slavery, previously called the Working Group on Slavery. Since 1975 this working group has become a meeting-place for United Nations experts and non-governmental organizations (NGOs) on child labor. It represents an important means of pressure on governments and, at its request, the ILO held a regional seminar on children who work in bondage in Islamabad (Pakistan) in 1992.

The working group was also the instigator of the creation in 1991 of the UN Trust Fund on Contemporary Forms of Slavery, which is also concerned with child labor. At the beginning of 1993 it adopted a draft action program for the elimination of child labor, which will be put into practice progressively. The ILO participates actively in the work of this group.

In 1980 the Human Rights Committee nominated a special rapporteur on the exploitation of child labor, Mr Boudhiba, whose report, presented in 1982, had considerable impact. This was continued by the UN seminar on child labor organized in 1985. Similarly, a special rapporteur, Mr Muntarbhorn, was nominated to study the trading and selling of children; he presented his report in 1992.

The UN has drawn up and promulgated the *Convention on the Rights of the Child* which has since been ratified or signed by most states. Clause 32 deals specifically with child labor. A Committee on the Rights of the Child monitors the application of the Convention. Its autumn 1993 session will be devoted to child labor.

## THE IPE PROTECT WORKING CHILDREN,

**Established in December 1991 by agreement between the ILO and the German Government, the International Program for the Elimination of Child Labor (IPEC) has been in operation since the beginning of 1993.**

**Financing is assured by a donation of DM50 million from Germany. Belgium became the second donor in September 1992.**

● ***The immediate objectives of the program are:***

**1. To improve the capability of member States to design and implement policies and programs which would help them deal with the problem of child labor and the protection of working children;**

**2. To heighten the awareness of member States and the international community as a whole as to the dimensions and consequences of child labor and national obligations under international labor law.**

**Ultimately the program should be judged on its performance in contributing to the halting, and then reversing, of the trend towards children's participation in exploitative work in general, and the worst abuses (hazardous work, forced labor) in particular.**

● ***The field of activity*** **excludes no country in the world. Six ILO member States, which requested the ILO's assistance, were selected as priority countries for action in child labor for the period December 1991 to June 1992: Brazil, India, Indonesia, Kenya, Thai-**

## Organizations in the system

Because of their mandates several UN agencies are concerned with child labor and take action in this area.

● **WHO**, especially since 1979, has carried out studies on the impact of work on children's health, particularly those occupations considered dangerous. A manual for healthcare personnel has been prepared.

● **UNESCO** is concerned with child labor since it prevents children from fully participating in the existing educational systems. The World Conference on Education for All (Jomtien, Thailand, March 1990) launched a plan of action to answer basic educational needs; this obviously concerns children at work. UNESCO is conducting an experiment in setting up basic education for children who have left the official educational system or who cannot participate in it.

● **UNICEF** has been developing since 1986 a new program directed towards Children in Especially Difficult Circumstances (CEDC), especially those who live and work in the streets. Every country has been led to study the situation of these children and prepare programs. In fact, UNICEF was behind the creation of the World Summit for Children (New York, October 1991) where it was decided that each state would prepare a national plan of action for childhood.

● **UNFPA** (United Nations Population Fund) indirectly contributes to the reduction of child labor through its family planning and its youth education programs.

Jacques Maillard

**The ILO is particularly concerned about the expansion of child labor in Africa, where child workers are increasingly numerous in small enterprises in the informal sector.**

## Non-governmental organizations

After encouraging the introduction of the International Year of the Child in 1979, the non-governmental organizations have become a spearhead of progress in this area. Those who have placed the fight against child labor as one of their objectives can be divided into two groups: the NGOs specializing in human aid or development which support education, nutrition and health programs for child workers; those specializing in the fight for children's rights, which have been particularly active in the drawing-up of the Convention on the Rights of the Child and of which some participate actively in the working group on contemporary forms of slavery.

At the present time, in addition to alliances or special meetings, international coordination of these NGOs is carried out by the NGO group on the Convention of the Rights of the Child.

There are an impressive number of NGOs which address themselves directly to child workers, either nationally or locally. Networks are slowly being established either on a geographical or a sectorial basis. Two large international networks should be mentioned: "Childhope" (founded in 1986), which is concerned with children on the streets, and ECPAT (created in 1990), which tries to deal with the sexual exploitation of children by tourists in Asia.

A compilation of NGO activities in the struggle against child labor is currently in progress at the ILO. It will be available in autumn 1993. ⌟

## PROGRAM: MBAT AND ABOLISH CHILD LABOR

**land and Turkey. It has been agreed to undertake preparatory work in an additional six countries which have expressed interest in participating in the program: Bangladesh, Cameroon, Egypt, Pakistan, the Philippines and the United Republic of Tanzania.**

**● *The program strategy* is based on selectivity and adaptability, the nature and extent of the problem, as well as the varying possibilities of action from one country to another. The IPEC program operates at three levels:**

**1. *Individual action programs*, often at the local community level or that of the social partners or non-governmental organizations (NGOs);**

**2. *National action programs*, which regroup and coordinate the individual action programs;**

**3. *The International Action Program* itself, which coordinates the various national action programs.**

**All partners concerned at all levels participate in the decision-making process. A Memorandum of Understanding between the ILO and the governments of the participating countries formalizes the agreement on the development and execution of national IPEC activities. The responsible ministry, normally the Ministry of Labor, coordinates with the associated ministries.**

**IPEC cooperates fully with other concerned United Nations institutions (UNICEF, UNESCO, WHO, UN Fund for Population Activities), as well as non-governmental organizations working in the area of child labor.**

# New shelter for street kids of Ankara

***In Turkey, a country in full economic swing while still predominantly rural, traditional sectors of work for children such as agriculture and some industries are supplemented by other informal sector activities. Street children are engaged in a myriad of small and irregular occupations resulting from the rural exodus to the cities. With support from the ILO-IPEC, the city of Ankara has launched a program designed to protect some 10,000 children working in the streets, at the same time providing them a possibility for social reintegration.***

They recognize him easily from a distance. At the entrance to the open-air market, near the huge five-story car park, about ten of them crowd around him, laughing and elbowing each other in their over-sized coats.

There's Erguin and his friends Behcet and Mourat, Can and his brother Farat, and several others. Since seven o'clock in the morning they have been tramping through the icy mud and debris of the market. Slung on a string over their shoulder, they carry a package of plastic bags which they offer to passers-by for their shopping. By evening these children have managed to earn a few thousand Turkish pounds – the equivalent of a few U.S. dollars – which they will take home to their parents.

The visitor, a tall young Turk with moustache and glasses, whose name is also Mourat, listens attentively to what the street kids have to say. He is a social worker, assigned since January with a younger colleague by the City of Ankara to a project designed to protect children working in the streets and enable them to find a place in society.

## Potential outcasts

Bootblacks, washers of cars, vendors of fruit, flowers, cigarettes and assorted objects – water carriers in the summertime – they number in the thousands. Between the ages of 7 and 15 on average, they wander the city streets trying to pick up what they can, some attending school from time to time, some working the street in permanence.

Not all the children are dissatisfied with their lot. Erguin, for example, finds life in Ankara "not so bad as in Erzerum", the Eastern city he comes from near the Iranian border. Nevertheless, here he and his companions are subject to the caprices of the weather, harsh treatment, the risk of accidents and corrupting influences. Not to mention the virtually total absence of medical care, schooling or vocational training of any kind. This makes them lifelong outcasts, unable to qualify for a decent job.

Within two months, in the market quarter of the city close to the center, the two social workers have already "identified" and established regular contact with more than 90 children. They have learned to know them and their families much better; they know the reasons which force them to work, how much they earn, the risks they are exposed to, what they dream of....

The two social workers have told them of the opening at the beginning of summer of a hospitality center designed especially for them in the nearby parking garage. Here if they wish they can come, to wash, rest, recuperate, be looked after, play, do their school homework with the help of adult volunteers. An area of 1200 square meters (appx. 12,917 square feet) is being equipped on the first floor of the garage.

## THE ILO: ENCOURAGEMENT AND COORDINATION

**As the example of the parking garage in Ankara transformed into a hospitality center for children well shows, the ILO's IPEC Program in Turkey does not try to impose its own way of doing things but rather encourages and capitalizes on national initiatives.**

**IPEC promotes meetings and collaboration between all those who, in Ankara or at national level, are working gradually to eliminate the problem of child labor. "It is essential that these people get to know each other, exchange their experiences, and support each other," states Michel Bonnet, IPEC technical adviser.**

**In addition to support of the project by the Ankara city government and the Fisek Institute, active support is also provided by the national advisory group set up under the authority of the Ministry of Labor and Social Security; this group acts as an agency of study, guidance and coordination between all public and private activity in the field of child labor.**

**The ILO also supports a training project for work inspectors on questions relating to child labor. It encourages statistical and sociological studies such as, for example, an investigation just launched into the incidence of child labor in rural areas.**

**Finally, the ILO is also promoting information and awareness campaigns at local and national levels. For example, in 1993 it is preparing a travelling photo exhibition, organizing a workshop in Ankara, producing a video film and distributing posters dealing with child labor.**

M. Michel Fromont

**Mourat, a social worker, in conversation with two small plastic bag sellers at the market in Ankara.**

## The goal is training

"We want the children to feel at home here", explains Mr. Bulenk Ilik, Deputy Director of Social Services for the City of Ankara and in charge of the project. "They won't be forced to come, to follow schedules or to do compulsory work."

The team of organizers, under the supervision of Mrs. Zaynep Türkmen, will be made up of some ten people, including four social workers, two psychologists, a legal adviser and a part-time doctor, in addition to volunteers specially trained for the tasks of assistance and supervision. They will work closely with the children's families, employers or customers and educational institutions, so that solutions to the children's problems will be based on agreement of all parties.

"Our main object", Mr. Ilik continues, "is to enable the children to obtain education and training. For those who attend school the Center will furnish books and educational assistance. For those who have not been to school or who are past school age and excluded from the system, we want to know why. The child may be forced to work because the parents are too poor or unemployed, because they don't know how to go about obtaining government help, or because there is an alcohol problem in the family. The child may be tempted to give up school because he has difficulty and is discouraged by the results.... In any case it is only through talking to the children, gradually winning their confidence, that the situation can be better targeted and understood and a way found to help them."

## Preventive measures

Various government and private institutions, including ministry departments, are participating in this action. Their directors meet regularly in a special Commission where all the problems and activities are reviewed and evaluated.

Financial resources from the IPEC Program of the I.L.O. amounting to more than $350,000, are divided between project personnel, training, operational expenses and equipment. The City of Ankara provides material and administrative infrastructure free of charge.

At end-February of this year a mobile unit was set up in order to extend the contacts of the social workers to other parts of the city; the goal, at the end of the first 18 months of operation, is to provide direct assistance to one thousand children, and to reach all the others through information and awareness campaigns.

"The problem of children working the streets has acquired serious dimensions in all Turkish cities, particularly because of the rural exodus and the development of tourism", Mr. Ilik points out. "Our work is preventive, designed to put a halt to the problem and control it, before the children are caught up in the vicious circle of delinquency, drugs and violence."

A pilot project, this initiative of the City of Ankara should open the way for other Turkish cities like Istanbul and Izmir to develop similar approaches.

**Michel Fromont**

### *THE FISEK INSTITUTE: A DEDICATED NGO*

*In the sprawling industrial zone of Ostim, just outside Ankara, where small and medium-sized enterprises of all kinds vie with each other for survival, a doctor has been engaged for many years in a daily struggle to develop preventive medicine on behalf of workers and employees. His particular concern is a group of some 3,000 young workers, not all of whom are legally entitled to his care. Authorized to deliver the medical certificates required for social security registration, Dr. Fisek makes regular visits, keeps a health record for each worker and gives medical advice to employers.*

*Dr. Fisek's approach is based on dialog and mutual confidence rather than authority. This makes it possible for him to get at the underlying problems, including clandestine work, and to deal adequately with social, political and administrative issues. Another beneficiary of his work is the local vocational training school, which receives some 1,350 apprentices and apprentice-candidates from 12 to 20 years of age, according to a system of priorities.*

*The ILO program has allowed Dr. Fisek to improve the equipment at his disposal (for example, he has been provided with a mobile unit completely equipped for medical examinations). The ILO has also made it possible for him to widen the scope of his activities by opening a first-aid station.*

# IPEC's challenge to Brazilian society

***The elimination of child labor in Brazil remains little more than a dream to the present day. Thousands of children work in Brazil, quite simply because their families cannot otherwise make enough to live on. With the IPEC, however, a movement has begun.***

In 1990, according to the Brazilian Institute of Geography and Statistics, 53.5 per cent of Brazilian children and adolescents, approximately 32 million, lived with families whose monthly per capita income was less than half the minimum salary, which is about US $65.

The distribution of wealth in Brazil is one of the most unjust in the world: the most affluent part of the population, which is 1 per cent of the total, controls 14 per cent of national revenue, while the most disadvantaged sector, 50 per cent of the total population, has access to only 11.2 per cent.

## A challenge

The IPEC program of the ILO set up in Brazil at the request of the government does not pretend to change this harsh reality from one day to the next. Its first objective is to begin the process of change by transforming the mentality of people.

In the present situation, many poor parents prefer to see their children working rather than doing nothing or involved in prostitution or other anti-social forms of behavior. In this country devastated by economic crisis, recession, inflation and unemployment, taking a child out of the active labor force must be accompanied by guaranteed access to schooling but also by a supplementary income for the family. This is the challenge proposed to Brazilian society by IPEC.

As in the other countries participating in the program, activities are based on a partnership between government, employers' and workers' organizations and non-governmental organizations (NGOs). By a process of democratic cooperation, each of some 30 agencies participating in the realization of the 12 projects selected was able to give its opinion on the type of contribution it could make. First priority was to find new solutions to help remove child workers – above all those of less that 14 years of age – from especially hazardous types of work.

In its activities the IPEC can count on one particularly helpful partner: the Brazilian Statute on Children and Adolescents prevents children from working until they are 14 – with special exceptions – and guarantees all rights

Jacques Maillard

**In Rio and in all the large cities of Brazil thousands of children live in the streets abandoned to their fate. The IPEC program supports several NGOs which attempt to help them.**

### A DENUNCIATION MOBILIZES THE COUNTRY

*In February 1992 the Folha de Sao Paulo, one of Brazil's most prestigious newspapers, devoted an entire page to denouncing a reality that is little known to the general public but all too familiar to rural trade union leaders: children as young as four years old work long exhausting days under inhuman conditions, harvesting cotton in Parana State, one of the richest areas in the country.*

*This denunciation, the second by the Central Union of Workers (CUT), was made by the same regional rural union. "If other unions took the same initiative, we would have even harsher revelations than this one", affirmed Rosiver Pavan, national political secretary of CUT. For Josefa Martins Reis, in charge of union education at the National Confederation of Agricultural Workers (CONTAG), "the problem of child labor is a structural one".*

*CONTAG feels the solution is the adoption of measures such as agricultural reform which would establish agricultural policies created especially for the small farmer, a fairer wage policy legislated by the government, and adequate social reform.*

*The trade unions, the federal government, the organizations concerned with defence of the rights of children and the ILO are today considering establishment of a plan of action in the Parana region. This concerted effort has resulted in proposals for solutions for recycling more than 4,000 children sometimes working as much as 10 hours a day to aid their families. This common effort can stand as an example to prevent similar situations occurring elsewhere.*

of children. Many groups which participated in the formulation and adoption of this law, effective since 1990, are working now to create awareness in society of the rights of the child and have become involved in the IPEC project.

### Partners in action

With the help of the Brazilian center for childhood and adolescence (CBIA) of the Ministry of Social Welfare, the IPEC will hold meetings and seminars on training for all those participating in the program. In the Labor Ministry, four secretariats will collaborate to create a special unit dedicated to this problem: the national program on child labor.

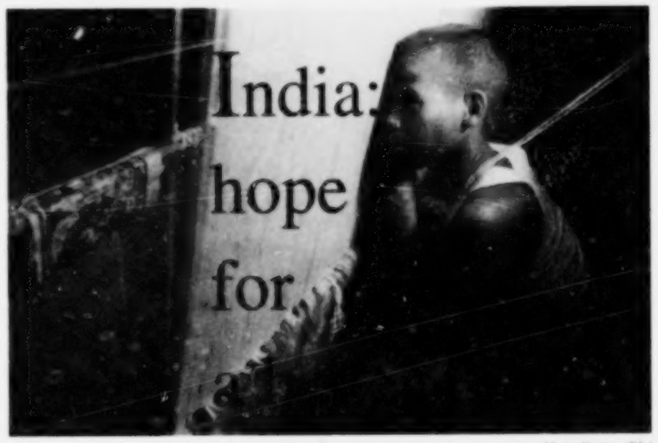
All the major trade unions have contributed to the elaboration of projects: the Workers' Center (CUT), the General Center of Workers (CGT), and the National Confederation of Agricultural Workers (CONTAG), which covers 3,200 rural unions and 9 million union members.

These organizations will work first of all at informing their leaders and creating awareness about the problem of child labor. They will produce educational material and hold seminars and meetings on the subject. In addition, they will find out where and under what conditions children are currently working. Each center will investigate specific activities in designated areas of the country.

The employers' organizations, represented by the National Confederations of Industries (CNI), Business (CNC), Agriculture (CNA) and Transport (CNT), give technical support to the projects. An important ILO partner is the Association of Toy Factories (ABRINQ), which takes an active part in social action through mass communication.

The choice of projects by the NGOs was made particularly on the basis of capacity for expansion. From among more than 200 proposals received, only those that were capable of removing children from high-risk situations, that offered education and that promoted professional development were chosen. Among them are two NGOs *(Projeto Axe and Casa de Joao e Maria)* that deal directly with street children, and the Municipal Foundation of Minors in Campos, located in the center of the State of Rio de Janeiro. In addition to dealing with street children, this foundation aids child workers in the sugar cane industry.

**Ambar de Barros**
**Luciano Milhomen**
***Journalists***




Mario Rodrigues/REA

**One IPEC priority in India is saving and rehabilitating children who have fallen victim to the debt bondage system. Of the 33 programs being set up in that country by the IPEC in March 1993, nine were specifically aimed at helping public institutions or non-governmental organizations (NGOs) working to free and educate this type of child laborer. So far, $290,000 of the $900,000 available at this date has been used for this purpose.**

These funds help, on the one hand, to support activities for informing all parties concerned and making them aware of the problem. These are public authorities, employers, trade unions and the general public, including the families and children themselves. Even though officially prohibited by law, debt bondage is deeply anchored in tradition throughout the Indian subcontinent. It is estimated that many tens of millions of individuals have fallen victim to it. According to an official study carried out with the aid of the National Labor Institute, 8 per cent of these are children.

Whereas in the past the most frequent workplace was on the farm of the landowner from whom the family had had to borrow to make ends meet, it is not infrequent today that this workplace is an industrial establishment.

The enormous task that now has to be undertaken is to find these children, free them, and give them a chance to fit back into society. Despite the fact that, in 1986, the Government adopted a national policy for setting up educational and training establishments for these children, the public authorities cannot meet all needs. That is where many NGOs come in, to help free and then assist these children.

In the regions of Benares and Mirzapur (Uttar Pradesh) where there are many carpet manufacturers, IPEC is helping to set up and operate several educational centers managed by the NGOs. IPEC helps pay the wages of the group leaders and instructors, provides certain items of equipment, and supplies food. One of the centers, operating in Delhi, takes in 50 to 70 children for four-month sessions during which they receive a basic education and vocational training adapted to their personal situation. Another is currently being set up near Benares.

However, IPEC activities in India are not limited to children in debt bondage. The program as a whole, with a budget of $2,251,000 for 1992-93, includes projects spread across the country in agriculture, industry and the services sector. In March 1993, 33 projects were being carried out and 12 were about to be approved by the National Committee set up under the Ministry of Labor. These include a vast project for training 600 labor inspectors from four States to be employed by the National Labor Institute.

There are also a number of studies under way including one on the economic effects of doing away with child labor in dangerous occupations.

## World inflation
## Regional contrasts

Neither particularly good nor particularly bad: this was 1992 in terms of inflation, as disclosed by figures available to the ILO.

The general trend is towards a slowdown, if not a reversal, of price increases. Of the 94 countries for which figures are available for November or December 1992, 60 per cent showed an inflation rate lower than that in 1991. In contrast, in certain regions – Africa and to a lesser extent Latin America – most countries reported an upturn in inflation rate and of all the countries monitored, 35 – that is over one-third – had inflation running above two figures, which indicates heavy or fairly heavy inflation.

Brazil is unquestionably inflation champion for 1992 with a rate of 1,109.5 per cent from November to November (as opposed to 425.9 per cent in 1991) and Argentina, in the opposite direction, achieved the impossible in its struggle against inflation by bringing the rate in 1992 down to 17.5 per cent as opposed to 84 per cent in 1991 and 1,343.9 per cent in 1990.

The contrast of these two countries shows the opposing trends on the American continent. Of the 29 countries or territories of that region covered by the ILO survey, 15 had rising and 14 falling inflation.

The situation is worrying in Africa, with 11 of the 18 countries and territories for which statistics are available suffering increased inflation. Top of the list, and second only to Brazil, is civil-war-torn Angola with 495.8 per cent (as against 175.7 per cent in 1991).

In contrast, of the 17 Asian countries that returned consumer price index figures for December 1992, only 4 had suffered an increase in inflation.

The striking feature of Europe, where 24 countries returned figures including Eastern and Central Europe, is the general fall in inflation. Figures for this region do not include Russia, and Romania is still in the triple-figure bracket (199.2 per cent as against 222.8 per cent in 1991). The drop is particularly clear in Poland, however, with 45.3 per cent as against 62.5 per cent in 1991 and 290.5 per cent in 1990. Hungary boasted 21.6 per cent (as against 32.3 per cent) and ex-Czechoslovakia 11.4 per cent (against 54.1 per cent).

# Lean production: a Japanese import

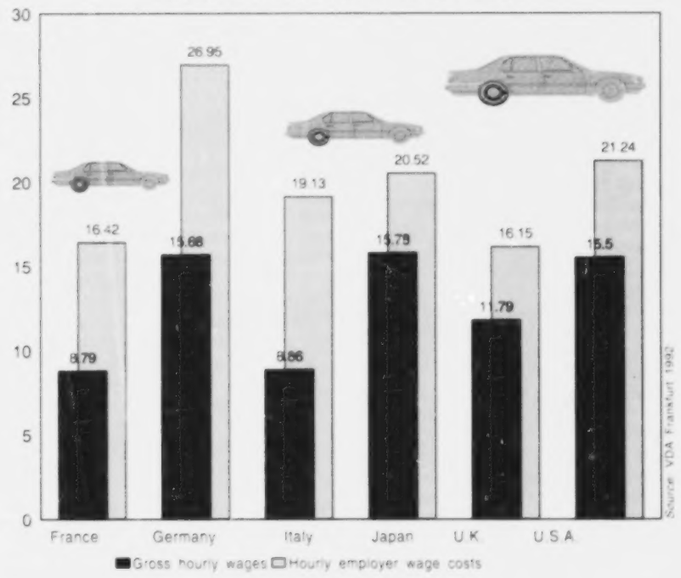
***In the pursuit of ever-greater ability to compete, Western managers are increasingly tempted to try out what they consider one of the keys to Japanese success: a new method of work organization known as "lean" production. According to one ILO expert, there is more to it than just the latest fad.***

Lean production is in, propelled into the limelight by the extraordinary success of the Japanese automobile industry, where it first saw the light of day.

Despite the bandwagon of conferences, workshops and magazine articles spreading the word, there is still considerable lack of clarity about the concept of lean production, let alone about its future.

Some managers say that it is just a name for what they are already doing, others hold that their companies are and have for a long time been doing some of what is intended by the term. Still others see it as a synonym for "Japanese production methods" which they feel inappropriate for Europe or America, while being something they ought to know about.

**Gross hourly wages and hourly employer wage costs in the automobile industry in 1991 (in US$)**




**These figures show that the comparative advantage of Japanese companies in regard to wages is questionable, to say the least.**

## Fighting waste

Boiled down to essentials, lean production means reducing the most pervasive evil of mass production: waste. Waste of materials, energy, money and, above all, human potential.

"For a long time we have had a system of mass production turning out standardized goods whose quality is often low," explains Werner Sengenberger, who runs a research program on new industrial work organization at the ILO's International Institute for Labor Studies. "When you see clusters of 'lemons' in a car factory which have to be reworked at great cost, you know that there is something terribly wrong with the way production is organized."

**"Lean production combines the best features of both craft production and mass production...lean production offers a creative tension in which workers have many ways to address challenges. This creative tension involved in solving complex problems is precisely what has separated manual factory work from professional 'think' work in the age of mass production."**

(Daniel Jones *et al.* in *The Machine that Changed the World*. Rawson Associates, New York, 1990)

This comes about mainly because factory work is divided into hierarchies, and workers become deskilled and demotivated. The Japanese are trying to overcome this by changing the organization of work. They have done away with the many specialists by creating work teams whose members rotate jobs and make collective decisions on how the task at hand should be done. They have given workers the responsibility for total quality control and a chance to participate in a continuous process of innovation and improvement.

## Japanese peculiarities

Can these methods be copied elsewhere? The fact is that Japan has a number of peculiarities in its employment and work systems. One is that Japanese employees work longer hours than their counterparts in Europe and North America. "The question is whether, in order to solve all production problems so as to arrive at zero defect output and zero waste, we need long hours to compensate for it," says Mr. Sengenberger. "Personally, I very much doubt it. There are some European factories that have embraced lean production without extending work time or overtime. The unions would not tolerate it, nor would the labor legislation allow it."

Photo: Magnum, Maillard

**Whether lean production or more traditional methods are employed, the organization of work should involve workers to a greater extent.**

It is equally true that Japanese workers are generally more docile: they don't strike, and they accept change more readily. But times change and so do workers. One indication is that working for Toyota, Inc., the pioneer of lean production, is no longer as popular as it was, and that despite good pay the management encounters problems in recruiting young people.

## More than a fad

On balance, lean production indisputably helps to improve the quality of products, which is good for consumers as well as workers, who can earn more.

It gives employees an opportunity to organize their own work and control its quality. Moreover, it encourages them to acquire new skills and responsibilities, which strengthens motivation and work satisfaction. The challenge is to make lean production more humane by tackling its negative features, such as overwork and total commitment to the company.

"Lean production may not be the panacea for all work organization ills, but it is not just another fad either", Mr. Sengenberger concludes. "No firm can afford wasting material, time, resources and human capital. Those who stick to the old system may not survive." ⌟

### MORE INFORMATION

*Under its program of work on "The challenge of a global economy: Labor and labor institutions in the changing organization of production", the ILO's International Institute for Labor Studies has inaugurated a regular series of Forum Meetings to discuss these questions. The second forum meeting, on lean production, constitutes the subject of this article* (Forum series on labor in a changing world economy, No. 2, "Lean production and beyond – labor aspects of a new production concept"). *A third forum meeting, planned for autumn 1993, will deal with* "New international divisions of labor. Globalization and the location of work".

Information on the activities of the Industrial Organization and Labor Institutions Program of the IILS and list of publications can be obtained from: Ms Cecconi, IILS, C.P. 6, CH-1211 Geneva 11.

# When discipline gets out of hand

***In any enterprise – including shops and offices – it is up to the employer to establish rules of discipline and punish anyone who violates them. In doing so, however, the employer must also comply with laws which protect workers from arbitrary action or abuse. Modern methods of human resource management may now be getting out of hand, however, and moving away from legally established guarantees.***

"Terribly sorry, but you just don't seem up to the job you were hired for. Your performance just isn't up to the mark. I'm going to have to move you to a less skilled job." Any shop assistant or office worker – or any employee in general – who hears words to this effect knows there is little he or she can do about it.

A recent ILO study* points out that "originally, all disciplinary measures were prompted by and aimed at punishing an offender, but the latest tendency is for these measures to be sometimes used as a means of personnel management". In this case, the study goes on to explain, "the punitive purpose takes second place to the desire better to adapt posts or functions to workers' skills or personalities. Such measures as downgrading to a less prestigious job or to one carrying less responsibility can also be advanced as an alternative solution to dismissal or forced resignation."

## From penalties to management

The study compares shop and office worker protection in relation to discipline in seven European countries: Belgium, France, Germany, Italy, the Netherlands, Spain and the United Kingdom. It notes that disciplinary rights – properly supervised, regulated and monitored – seem to have lost ground to human resource management measures, which can have serious consequences for staff as they permanently alter the fundamental conditions of the work contract.

The author points out that in-plant discipline, recognized as a legitimate and necessary prerogative of employers, is generally tempered by such guarantees as organized workers' defence, hearings of both sides, degrees of punishment, the requirement that the punishment match the offence, and the possibility of appeal.

In department stores and the retail trade in general, disciplinary constraints are necessary and are by and large accepted by trade union organizations, which recognize the operational requirements of the company. Banks, savings and loan institutions and insurance companies also have very strict rules, especially as re-

**Ms. Eliane Vogel-Polsky, author of the ILO study and a lecturer at the Institute of Sociology at the Free University of Brussels, explains the importance of the conclusions she has reached.**

**World of Work:** ***Can it be said that workers in the sectors considered are more vulnerable today to the disciplinary power of employers than they were in the past?***

– Here we have to make a distinction between disciplinary rights and disciplinary power. The study I carried out in the seven countries under review has clearly shown an increasing similarity of workers' guarantees as regards the way in which employers exercise disciplinary rights and punitive measures. What is called corporate penal law seems to be tempered by adequate protection in most systems.

On the other hand, where disciplinary power is concerned, profound changes have taken place because of two new phenomena. The first is technical in nature and concerns the wide-ranging possibilities that information processing of both personal and professional data today offers for meticulously checking up on each worker. The resulting anonymity means that the worker is becoming ever more a faceless individual from whom average performances are expected in accordance with evaluation standards and systems evolved from programd monitoring. In this area it is apparent that the law is lagging behind greatly and that the rights of persons on record within the enterprise have not yet been really guaranteed or regulated.

The second phenomenon is quite different. We might call it ideological. It concerns the substitution of a new approach, that of human resource management, for the classical interplay of employers' prerogatives (power, authority, supervision) versus the obligation of workers to submit and be loyal (which is the basis of the employment contract). It is no longer a question of the one directing and the other complying, but rather one of motivating workers by making them responsible for their own efficiency and performance.

**THREE QUE**
**ELIA**

Jacques Maillard

**With computerization and the development of monitoring and control techniques, he individual tends to become "a faceless individual from whom average performances are expected," constantly evaluated for cost-effectiveness.**

gards the honesty, reliability and moral fibre of workers handling funds.

The study notes, however, that there is a deep-seated change taking place in staff management, and that disciplinary power is becoming ever more confused with authority exercised to meet the needs and interests of the enterprise.

Even in countries where it is illegal to levy fines on workers who break the rules, they are still levied in the form of civil reparations for non-performance of contract. For example, certain bonuses or even sick-leave entitlements are withdrawn in cases of frequent absence.

## "Transparent" workers

Another trend is toward perfecting supervisory techniques, storage of personal data and monitoring working speeds and errors in order to stimulate results. Such measures are likely not only to increase stress but also impinge on the privacy and dignity of workers who become, so to speak, "transparent".

Nowadays, for example, word-processing programs can record a typist's typing speed, the number of pages processed per day, the exact time when operations were performed, and so on. The word-processor can even impose its own working pace on the operator, as some entry terminals are equipped with an "accelerator" which, as soon as one job is done, displays the next on screen.

Other monitoring methods and remote surveillance can hinder freedom of movement and the independence of workers: cameras and magnetic badges by means of which personnel movement can be followed and production continuously checked; cash registers that measure the pace at which cashiers work; supervision of the personal accounts of bank employees and of their families; or questionnaires that applicants have to answer on matters totally unrelated to their occupational requirements.

In general, the study expresses the opinion that this shift of punitive measures towards means of improving human resource management stands every chance of having serious consequences, as these measures have now broken free of any guarantee provided for in law. "Downgrading or a shift to a different or lower-grade position will be 'proposed' to workers and 'accepted' by them contractually."

Nor do there seem to be any means of specifically dealing with or guaranteeing workers' situations in the face of problems relating to these new organizational and monitoring techniques.

The study considers the current state of affairs in each of the countries studied regarding legal or contractual protection of workers, the means of recourse open to them, and jurisprudence in the face of this evolution of disciplinary power within the enterprise. The author concludes that the balance between the needs of the undertaking and respect for the rights of the individual at work should be sought in tripartite discussion and defined in an international labor instrument. ❑

*Eliane Vogel-Polsky, La Protection des travailleurs du commerce et des bureaux en matière disciplinaire. ISBN 92-2-207115-8. (In French only.)

## IONS TO THE AUTHOR
## : VOGEL-POLSKY

The intensity of the constant check carried out on occupational activities and performance will, from this managerial viewpoint, result in the justification of provoked resignations, downgradings and job-shifts within the enterprise, substantial changes in remuneration, and so on.

It is this constant shift in disciplinary power that, as I see it, makes workers in the sectors under consideration all the more vulnerable, for it is occurring in an individual and collective context that falls beyond the scope of the guarantees set forth in labor law.

**WW:** ***To envisage an international standard on this subject might seem to run counter to the objective of flexibility and efficiency that should guide any employer in the interests of the company and of the workers themselves.***

– I am convinced of the importance of and need for an international standard because labor law is at an embryonic stage in this area. In recent years we have seen a proliferation of legislation and institutions aimed at protecting the private lives of individuals or information concerning them, but none of these very general regulations are adapted to the specific problems that arise at the workplace. Putting this to the ILO for consideration might help make people aware of the problem and its implications and would at least have the merit of prompting a tripartite discussion and approach.

**WW:** ***What exactly would the "new guarantees" you consider necessary for worker protection involve?***

– First, we would do well to ensure various aspects of workers' rights in connection with data collection, the establishment of files and access to them, the right of workers to consult their personal files, confidentiality, the right of opposition and to reparation. Then managers' obligations must be defined in regard to sound file management, so that there could be a certain public supervision of such operations and their final purpose, the removal of sensitive data (race, opinions, faith, health, sexual proclivities, legal history), making operations more transparent, holding managers more responsible for their actions, the collection and conservation of data and the use to which they are put.

As far as the way disciplinary power has got out of hand in management, everything still remains to be done!

# Human rights, workers' rights

***Second World Conference on Human Rights in Vienna (Austria); 80th Session of the International Labor Conference in Geneva: in this month of June 1993, two great international forums will try, each in its own way, to help make a world with more justice and more respect for human dignity.***

Media impact is assured in Vienna: the Austrian capital will receive more than 10,000 delegates from all around the globe, representing governments and a large number of non-governmental organizations engaged in the struggle for human rights. Given the open or the potential conflicts in all areas of the world, the inequality and violence of which millions of human beings are victims at all latitudes, the work cut out for the Vienna Conference seems colossal.

Discussions risk being very heated, particularly concerning the concept of human rights itself in the new international situation prevailing since the end of the Cold War. Expectations and values vary from one culture, one religion, one political system to another; these differences in perception are now being discussed openly.

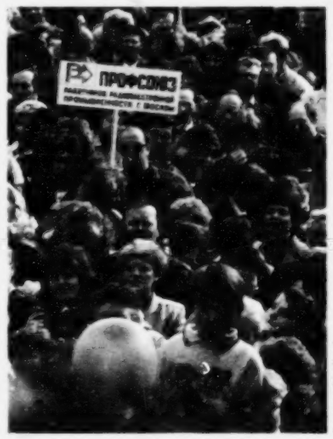
As an Organization whose constitutional principles inspired certain articles of the Universal Declaration of Human Rights and of the fundamental UN human rights covenants, the ILO has actively participated in the preparation of this World Conference. Numerous documents were submitted to the Conference Secretariat indicating among other things the ways in which the human rights mechanisms of the United Nations system might benefit from ILO experience.

The ILO's own human rights work took concrete form in the annual session of the ILO Committee of Experts on the Application of Conventions and Recommendations, which met from 11 to 24 March to prepare the other key meeting in June: the examination by the International Labor Conference of the problems relating to the application of international labor standards.

All activities of the International Labor Organization are concerned in some way with human rights. There are, too, certain basic freedoms which are of particular concern to the ILO. These are freedom of association, freedom from forced labor, freedom from discrimination in employment and occupation, and opportunities of employment. Also, one Convention (No. 169, 1989) deals specifically with the rights of indigenous and tribal peoples. In addition to these obvious subjects of human rights protection, safety at work, fair wages and working conditions, and social security should be the birthright of every human being, and they too are protected by ILO standards and monitoring.

This year the report prepared by the experts for the International Labor Conference reveals a number of abuses in various human rights areas. Representatives of some of the countries concerned will be called on for explanation before the tripartite Conference Committee on the Application of Standards in June.

The experts have also noted numerous cases of progress in the law and practice of member States:




Jacques Maillard

– **Freedom of association and the right to organize.** The Constitution of 15 March 1992 of the Congo guarantees all citizens the right to establish and join a party, a trade union and associations. In the Dominican Republic the new Labor Code contains provisions to guarantee protection of trade union functions. In Paraguay the new national Constitution of June 1992 recognizes the right of association and the right to strike of workers in both the private and the public sectors.

– **Discrimination (Employment and Occupation).** In Colombia the Ministry of Labor and Social Security is to issue a resolution banning the requirement of a pregnancy test for obtaining employment: labor inspectors will be required to make sure there is no discrimination based on sex or sexual harassment. In Poland the Labor Code has been amended to bring it into conformity with the requirements of international labor standards. In Romania an extensive mother tongue education program for the Magyar minority has now been developed, and special classes for the Roma (gypsy) minority students have been established to prepare them to teach in Roma mother tongue schools.

Step by step, as a result of ILO standards, of procedures to monitor their application and of the efforts of all those who guarantee their proper functioning, respect for the rights of workers increases throughout the world, in these and many other fields.

As the Chairman of the Nobel Committee remarked on the occasion of the award of the Nobel Peace Prize to the ILO in 1969, "There are few organizations that have succeeded to the extent that the ILO has succeeded in translating into action the fundamental moral idea on which it is based".

# Working World

## INITIATIVES

● **Two agreements on lifelong training**, one bipartite between unions and employers and the other tripartite, also involving the Government, have been signed in Spain. These agreements are the final result of initiatives taken by the three parties; their application will be jointly monitored and the rules fixed by collective agreement. Enterprises will draw up training programs and an increasing part of them will be devoted to lifelong training, which will bring their programs increasingly into agreement with European Community standards.

● **National employment services in Barbados** are entering the second phase of their youth-promotion drive. The first phase was aimed at improving the security of wage-earning employment. The second phase is more concerned with promoting self-employment and stimulating as much as possible the spirit of enterprise and creativeness of young people. An information center for small enterprises has been created and a fund has been set up exclusively to help the young. Courses will also be given on how to succeed in business.

● **A social pact** was signed in March between the Philippine Government and the country's trade unions. The unions will back the efforts of the public authorities in combating poverty, inequality and injustice. The Government, in return, has undertaken to place priority on vocational training, environmental protection and the introduction of "social safety nets" to provide a minimum level of security for the poorest of the poor.

## TRANSITIONS

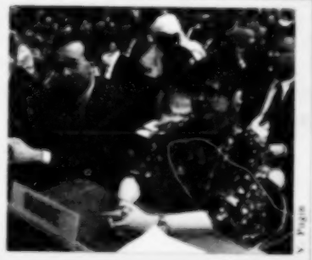
● **There should be a speed-up of privatization** in Hungary this year. So far, the State Property Agency has sold off 20 per cent of the country's economic heritage. The aim is to reach 50 per cent by 1993. The Government is urging Hungarians to invest more themselves and the share of foreign capital has fallen from 80 per cent in 1991 to 60 per cent in 1992. Another national agency is responsible for restructuring and managing public companies which are to remain under State control or which are to be privatized over the longer term. While the country has banished State control as a doctrine, it has not opted for all-out privatization as the path of transition to a market economy, and intends its public sector to be managed more profitably.

● **Privatization of labor relations** is the aim of the Argentine Minister of Labor. He has published a decree decentralizing wage negotiations and introducing a productivity factor while, at the same time, removing the responsibility for this from the public authorities. Henceforth negotiated wages will comprise two elements: one will be fixed and compulsory for the industry, sector, type of activity or company and will be covered by a collective agreement. The other - productivity-related - will be negotiated within each company, will apply to that company only and will not need to be approved by the Ministry of Labor.

## DISCONTENT

● **Social unrest in the streets of Europe**. In Maastricht and certain other European cities, over a million workers turned out to demonstrate in response to a call by the European Trade Unions Confederation last April. Their complaints concerned unemployment and social "dumping"; the purpose of the unionists was to state their solidarity and demand that the next European summit in Copenhagen on 21-22 June be "clearly focused on employment". President of the European Commission Jacques Delors paid tribute to the courage of the trade union movement that is "supporting the building of Europe at a time when the greatest clamour is being made by the anti-Europeans".

● **The Supreme Court of Paraguay** has suspended a decree requiring that current trade union leaders be re-elected within 120 days or lose their posts. This is considered a victory for the trade unions, who feel the decree violates the articles of ILO Convention No. 87. The outcome of the proposed Labor Code before Parliament remains uncertain; the government and the employers' organizations are afraid of possible repercussions of the legislation on investment and employment.



**● The election of Ms. Ruth Dreifuss, Secretary of the Confederation of Swiss Trade Unions, to the Federal Council of the Government of the country was heralded with satisfaction and pride in the working world. Ms. Dreifuss has been closely involved in the work of the ILO for over ten years as Swiss workers' delegate to the International Labor Conference and substitute worker member of the ILO Governing Body. As a speaker for the workers she played an active part in preparing the new standards on night-work: the protocol revising Convention 89 on night-work for women and Convention 171 and Recommendation 178 on night-work for all workers.**

## WORK AND EMPLOYMENT

● **Work-sharing** is attracting ever more attention in many industrial countries. It has still not been universally agreed whether it is, in fact, possible to share work - and its remuneration - between those in employment and those who are not. In France, with unemployment running at three million, over 50 per cent of wage-earners are in favor of the idea. Indeed, there are ever more in-plant agreements providing for a cut-back in working hours accompanied by a freeze or reduction in wages in order to stave off dismissals. In some cases the initiative is taken by management, in others by the unions, with the position of the latter varying from plant to plant. The reduction in working time varies from 45 minutes to five hours a week. The reduction in income may be strictly proportional, biased to help the low-income brackets, or else applied only to the highest incomes in the company. As a rule, the plan is submitted to a vote among the staff and a two-thirds majority is required.

● **The cost of industrial accidents** and occupational diseases is equivalent to at least one per cent of the Gross National Product of the entire world economy or, in other words, the total GNP of over one-half of the countries in the world. These were the alarming figures announced last April in New Delhi by ILO Deputy Director-General Heribert Maier at the 13th World Industrial Safety and Health Congress. The losses ensuing from these accidents and diseases represent the value of the goods, services and consumer expenditure of the governments and investors in over 90 countries, he said. Even though there has been a 60 per cent drop in the fatal accident death rate in many industrialized countries over the past decade, the fact remains that 200,000 people are killed at work daily and 120 million more are injured or contract some illness related to their occupation. The New Delhi Congress had before it a five-point program, prepared by the ILO, for improving safety and health in the work-place.

**CORRECTION:** In the April 1993 issue No. 3, the "Working World" (p. 15) incorrectly recorded the English title of the new *Education International*, created in January following the merger of WCOTP and IFFTU and now one of the largest trade union organizations in the world.

This page was prepared with the collaboration of the *International Labor Review*.

# The stirrings of equality in South Asia

***In the countries of South Asia – Bangladesh, India, Pakistan, Sri Lanka - a socio-economic revolution is in motion: women are increasingly leaving their traditional work at home or in the fields to join the labor market. But how can they avoid the trap of low-paying jobs requiring limited skills and offering little or no career prospects at all?***

In Bangladesh over the last decade the number of women in the active workforce has risen by 7.5 per cent each year. The ever growing number of women heads of families (widows, divorcees, separated), the increase of rural poverty and the weakening of traditional networks of solidarity partially explain what has happened. Urbanization, development of export industries and other sectors such as construction, as well as government incentives, have also influenced the demand for women workers.

Jacques Maillard

**Women still represent a small minority of staff in centers for technical training. However, there is an evolution toward more professional equality. In India and Pakistan for example, the proportion of women in the overall paid labor force is growing rather fast.**

A similar evolution is taking place in other countries of the region. Although in India and in Pakistan the majority of women workers are still in the agricultural sector, largely as unpaid family laborers, their proportion in the overall paid labor force is growing rather fast.

## Discrimination

The first problem for these women workers is to find a job: women's unemployment was 16.8 per cent in Pakistan in 1991. Then they must strive not to be locked into low-skill jobs in the services sector or in such areas of manufacturing as textiles. In Sri Lanka, for example, over two-thirds of the one and a half million economically active women are working at unskilled or semi-skilled jobs.

The key to the diversification of women's work activity and access to more qualified positions and responsibilities lies in improved training. The four countries of South Asia already have the judicial, institutional and technical infrastructure necessary to improve the situation of women in employment and training, according to studies carried out for the ILO. But this cannot hope to compensate for actual inequalities and discrimination in practice:

– In Sri Lanka, 99.8 per cent of the women in various vocational training centers are enrolled in sewing courses; they naturally prepare themselves for the garment industry and industries in the export-processing zones. Although they have equal access to general education and training programs, they tend to be channelled into a few "acceptable" occupations.

– In Bangladesh women's enrolment in the vocational training institutes and technical centers run by the Government is only 1 to 2 per cent. Here again, training organizations have not been effective in encouraging or recruiting women for non-traditional occupations.

– In Pakistan less than 1 per cent of the 20,000 graduates of technical training institutes are women, while in India women make up 8.3 per cent of the graduates from the polytechnics. Among the literate labor force, women have often attained higher levels of education than

men, yet they are still employed in low-skilled, low-paid and often temporary jobs.

The barriers inhibiting women's entry into training and employment in non-traditional fields are complex and interrelated. They are not confined to technical issues but also include cultural factors and attitudes. Traditional concepts of women's roles greatly influence their choice of occupation. Until recently none of the countries had launched media and communication campaigns to combat this stereotyping.

## Change on the way

The ILO hopes to change this situation and has launched a program on diversification of women's training and employment in South Asia. With the financial support of the Norwegian Ministry of Foreign Affairs, a task force comprising key officials from government, employers' and workers' organizations and NGOs have worked together closely in each country to identify the obstacles to women's employment in non-traditional occupations and the means required to redress the situation.

As a result, promising but restrained trends in the entry of women in non-traditional occupations can already be observed in all four countries. In India, four fully autonomous residential polytechnics are reserved for women, offering training in new technology, engineering and the upgrading of skills for women technicians. In Bangladesh the Women's Affairs Department of the Ministry of Social Welfare conducts Secretarial Science Courses for women: secretarial jobs were not considered appropriate for women before the program was introduced.

The national College of Computer Sciences in Lahore (Pakistan) has managed to enroll more than 15 per cent of women in their mixed classes in computer sciences. The college practises a positive discrimination policy towards women and encourages them by various means to take up employment in the computer field.

## Policy recommendations

The reports published so far under the project recommend that governments, training institutions, employers' and workers' organizations take the lead in extending these promising trends and promote the entry of women not only into technical fields but also at higher professional and managerial levels. Jobs in technical fields represent a chance to develop skills for which there is a real and growing demand and a means of increasing the earning power of women as their economic contribution becomes more vital to household security under the continuing strain of structural adjustment policies.

Jacques Maillard

Besides a genuine national commitment on a tripartite basis the reports also recommend a re-orientation of training for women requiring a revision of curricula, training of trainers to increase gender awareness, improved counseling and placement services and the elimination of discriminatory practices and procedures.

Aggressive campaigns should be mounted to raise awareness of women's training and employment and a broad public must be engaged in the process of change – employers, trainers, counselors, training institution managers, parents, as well as male trainees – for the reason that women's opportunities for training and employment are influenced and determined to a great extent by the decisions of others.

**Hans-Friedrich von Rohland**

### PROMOTING WOMEN IN LATIN AMERICA

**In many countries of Latin America women are the first victims of unemployment, often because they work in traditional occupations which suffer more than others from economic restructuring. Although the participation of women in the workforce has gradually risen over the last two decades, women's share in technical fields and small enterprise management needs to be improved. A similar ILO project tries to help women in 12 Latin American countries.**

**A first phase of the project collected information to be given to governments in order to elaborate concrete policies, followed by formation of trainers from the national training centers of the 12 Latin American countries at the ILO Turin Training Center, in September and October 1992. A tripartite seminar held in March 1993 helped to increase tripartite sensitivity in promoting women and adopting workable strategies for their promotion.**

# Costa Rica: compensating for adjustment

***Unlike other countries Costa Rica has managed to avoid the more serious repercussions of the crisis that hit the region during the 1980s. This was partly due to its advanced social welfare system and the fact that it applied compensating measures. An ILO interdepartmental mission has analyzed and evaluated the strategies applied.***

**It is imperative for Costa Rica to find a balance between exports (bananas, cafe) and local food production enabling families to live through their own means.**

The soundness of the social welfare system in Costa Rica renders any fundamental change in overall approach to its social policy unnecessary. However, it would be necessary to seek greater integration of social policies into the policy of structural change. As the crisis is overcome, priority should be given to encouraging greater production capacity which will prepare families to generate their own incomes, thus making them less dependent on the social welfare system.

These, among others, were the recommendations made by the multidisciplinary ILO mission that went to Costa Rica last year to evaluate the effectiveness of the social welfare programs implemented during the period of structural adjustment the country had undergone.

To cope with the crisis, Costa Rica had adopted a gradual approach in stages. It began by implementing its own stabilization program, which boosted the economy and took account of those worst off. It was only when stabilization had been achieved that restructuring began.

Although throughout that period there was no great reduction in the amount of public social spending (one of the highest amounts in Central America at 20 per cent of GNP), there was a change in the method of spending in that greater attention was paid to such sectors as education and health and the bulk of subsidies went to home-building and a transfer of social security income (to increased food vouchers, social assistance and pensions to non-contributing beneficiaries). Programs such as those for providing school dinners were a help to families that had suffered a drop in income. In this sense, the measures proved effective.

Nevertheless, one of the negative consequences of this reallocation of public funds was a setback in the rapid improvements that Costa Rica had been making with respect to human resources. The worst-off social strata started finding it increasingly difficult to obtain the benefits of education; training suffered noticeably as did the general state of health of the community.

According to the mission report, other programs could have been selected such as vocational training, the promotion of small enterprises or activities relating to public works which, while not neglecting means of providing compensation, would at the same time have laid sound foundations for structural change.

Hence, at some future stage it will be necessary to redefine the objectives of the compensatory programs so that they contribute to a process of structural change in which social equality will form part of the long-term development strategy.

Consensus and consultation – domestic and tripartite – will ensure the success of the effort to integrate social and structural policies.

**Elena Segade** ❑

### *THE FIRST INTERDEPARTMENTAL MISSION ON STRUCTURAL ADJUSTMENT*

*The ILO interdisciplinary mission comprised experts from the Interdepartmental Project for Structural Adjustment and technical services dealing with social security, international labor standards, labor legislation, training policies, entrepreneurship and management development, public works, and employment and development. Considerable support also came from the PREALC (ILO Regional Employment Program for Latin America and the Caribbean) and the ILO office in Costa Rica.*

*The mission interviewed trade unionists and employers, government authorities, political leaders and academics. The breadth of consultation meant that it was possible not only to develop discussion with the ILO's constituents and to set an example for future missions of this type but also to identify the areas in which the ILO could most effectively intervene.*

*Costa Rica was selected for the first mission of this type because it possesses an advanced social welfare system. The institutionalization of measures such as worker and worker's wage protection and the establishment of a wide-ranging social security system started in Costa Rica in the 1940s and was subsequently strengthened by the allocation of funds made available after the abolition of the army. Concern for social policy can also be seen in the fact that this country has ratified 47 international labor Conventions and is closely cooperating with ILO supervisory mechanisms.*

*It is precisely international labor standards that provide the logical yardstick by which to measure the effects of structural adjustment and of the programs inspired by the international financing bodies. As far back as 1984, concern over respect for those standards induced workers in Costa Rica to make a formal complaint to the ILO about the effect of the adjustment on the application of various ratified Conventions. Standards have consequently played a fundamental role in the evaluation effected by the mission.*

## AROUND THE CONTINENTS

**▲ AIDING THE TRANSITION: In Hungary the transition process to a market economy, though cautiously begun, is accompanied by deep recession after the collapse of COMECON. The unemployment rate is over 10 per cent. In 1991 the Government of Japan agreed to finance an ILO project for the Hungarian Ministry of Labor which aims at promoting productive employment. Activities include examining the employment-creating potential of alternative reform policies and undertaking surveys of the unemployed to assess the effectiveness of current support programs.**

**▲ PROMOTING TOURISM: China Tourism Management Institute (CTMI) is the largest UN-assisted project in China's tourism industry, sponsored jointly by China and the UNDP. The ILO helped create CTMI in order to train and develop human resources at the supervisory and managerial levels serving the hotel and tourism sector. The Institute has 200 teaching and administrative staff and 800 students following various courses in hotel management, travel services and tourism administration. Most of the instructors have already received professional training in their own specializations outside China.**

**▲ TRAINING AND TECHNOLOGY: An extensive increase in the rehabilitation and maintenance of the Tanzanian road network is envisaged under the government's Integrated Roads Project (IRP). A number of donors provide technical and financial support for this project, in some cases involving increased use of labor-intensive methods for rural road works. A chronic shortage of government supervisory staff and local contractors prompted a request for ILO support for technology development and policy coordination, for institutions for supervisory staff training (funded by the Norwegian Agency for Development Cooperation/NORAD), and for small-scale labor-based contractor training (made possible by support from UNDP, the World Bank and the US Agency for International Development/USAID).**

**▲ BETTER MANAGEMENT: Usually, small entrepreneurs in developing countries have not had prior training in managing small businesses. The Improve Your Business program (IYB), launched by the ILO 10 years ago, provides business training adapted to specific needs by teaching the basic principles of sound management and using real life examples and practical exercises. The IYB program has also been made available to businessmen and women in the informal sector, because of great demand. In Uganda, Zimbabwe and Kenya, disabled small entrepreneurs also profit from the program. The IYB training package is now in use in some 40 countries and has been translated into 20 languages.**

**▲ SUPPORTING RURAL DEVELOPMENT: Strengthening the institutional structures and managerial skills of grass-roots organizations such as rural communal enterprises is the objective of a recently approved ILO project in Bolivia. Funded by the Dutch government, the FORGE project assigns a high priority to the promotion of local development initiatives through training of the members of provincial and municipal development councils. Special attention is given to the access of women to project-promoted activities to increase women's participation in development.**

# Eastern Europe: rebuilding workers' protection

Wolfgang von Richthofen*

***Among the many challenges facing the new democracies of Central and Eastern Europe, not the least is the need to improve safety and health conditions at the workplace, a problem that was too long ignored by former regimes. New, appropriate structures are necessary; new laws need to be enacted which clearly reflect the basic mission of labor inspection.***

In the former socialist countries of Central and Eastern Europe, transition has been rather brutal. The sudden change from one type of economy to another has resulted not only in a rapid increase of unemployment and poverty but also in a degradation of certain aspects of working conditions.

## An inefficient system

To be sure, in the majority of countries, the old system of protection of workers was far from perfect. Labor inspection could not fully exercise its function. It operated more as a transmission belt of the state apparatus than as an independent system of inspection. Inspection services were not sufficiently aware of their role, which is above all to guarantee the protection of workers.

Often under the trade union organizations, labor inspection services existed also in numerous technical ministries: mines, metallurgy, chemical and so on. This spread and dilution of responsibilities were further aggravated by a lack of coordination and cooperation between the various state agencies.

Furthermore, the role of the social partners did not correspond to what it should be in a market economy. As a result, the general conditions of work – work organization, ergonomics, hours of work – to a large extent escaped the attention of the supervision services.

Safety and health policies consisted largely in placing workers who were victims of the working environment in less difficult jobs, instead of reconsidering jobs and work organization from the standpoint of prevention.

Nonetheless, however unsatisfactory and inefficient they might have appeared, the labor protection systems of the old regimes managed to fill certain gaps in the public health scheme. In fact, the majority of state enterprises were staffed with an adequate medical corps (doctors, dentists, gynecologists, nurses) which could meet the needs of ill or injured workers.

**Necessary as they may be, a few posters can hardly replace safety and health policies.**

### BASIC PRINCIPLES

**The basic purpose of labor inspection as defined in Article 3 of ILO Convention No. 81 on Labor Inspection in Industry and Commerce:**

- **to secure the enforcement of legal provisions relating to occupational safety, health, working conditions and welfare;**
- **to advise the social partners on the most effective ways of complying with the legal provisions;**
- **and to inform governments of defects and abuses in the sphere of labor protection not specifically covered by existing legal regulations.**

## New problems

Today the situation of the labor inspection services in the countries of Central and Eastern Europe has changed profoundly. With independence, workers' or employers' organizations are rediscovering their role, their rights and their obligations. There is a renewal of tripartism and social dialog as necessary preconditions to economic and social development and to the equilibrium of society. But the structures of labor protection do not escape the effects of structural adjustment and experience serious difficulties in carrying out their task.

In the majority of these countries, in fact, the liberalization of economic activity has had as a consequence the creation of a very large number of small private enterprises. In a fragile economic situation (insufficient capital, excessive cost of credit), these enterprises have a tendency to transgress labor rights: hiring clandestine workers, non-payment of social contributions, precarious conditions of safety and health, irregular payment or even non-payment of salaries. Inexperienced new directors, unaware of the obligations of labor law, are often accused of practicing "wild capitalism".

In addition, the enterprises remaining under state management, suddenly facing concerns of profitability and competition, have a tendency to reduce or suppress services which are not directly productive, notably those responsible for social, health and holiday programs. Going further, certain enterprises have purely and simply done away with medical services at the worksite, with repercussions not only on their own personnel but also on those of the small and medium-sized enterprises which depend on them and benefited from these services.

Labor inspectors carry out their duties in difficult conditions: lack of means, inadequate legal texts, lack of personnel, lack of training, the impossibility of effecting sustained supervision of enterprises which are too numerous and unstable.

The social partners are also still too timid: the trade unions, taken up by other preoccupations, do not cooperate sufficiently; the employers, strong in their new independence, still do not know precisely how to function in labor relations, and the workers often prefer direct compensation – increased wages, early retirement – than to allow labor inspection to improve their working environment.

Desiring to improve their system of labor protection, certain countries have asked for the help of the ILO and have already been able to benefit from the advice of tripartite missions whose role consists in evaluating labor inspection systems and proposing meaningful recommendations to improve their efficiency and effectiveness.

### LABOR INSPECTION

*In Hungary, as a logical sequence to an ILO tripartite labor inspection and evaluation mission, a national high-level tripartite conference on the development of labor inspection was held last March.*

*The three parties fully endorsed the recommendations of the mission and called for the creation of an integrated state labor inspectorate responsible for occupational safety, health, welfare and the working environment. Hungary also plans to ratify certain conventions relative to labor inspection including Convention No. 81, submitted by the Ministry of Labor to Parliament for priority ratification.*

## Significant changes

Significant changes have already appeared in Poland, Hungary, the Czech Republic and Slovakia. Although here and there a dichotomy remains between the inspection of occupational safety and that of occupational health, the four countries have set up labor inspection systems independent of the trade unions, usually under the direct administration of their labor ministries. Taking into consideration the advice and reforms proposed by ILO missions, all four countries have also promulgated new labor protection codes or are planning to do so.

In Estonia, the system of labor inspection resembles that of the majority of Western European countries, with an inspectorate integrating responsibilities for occupational safety, health and welfare, with a staff of approximately 120 inspectors for an active workforce of one million workers.

Romania completely reorganized its labor administration in December 1992 as a specialized government service of the central public administration system. A labor inspectorate has yet to be reorganized, however.

In the Russian Federation a draft labor protection law has recently been prepared containing an important number of concepts in line with ILO standards. Thus it postulates the compatibility of workers' safety and health with the economic performance of enterprises. However, the draft also perpetuates the practice of labor inspection by trade union officials, incompatible with the role of the social partners as understood in a market economy.

In Latvia and Lithuania new state labor inspectorates under the ministries responsible for labor were also set up as a result of ILO advisory missions to both countries.

It is clear that these countries have undertaken remarkable efforts to improve their labor inspection systems. Certain new directions given to the inspection services, particularly the development of counseling and prevention functions based on an objective analysis of risks, promise significant rewards.

But drawbacks remain, related to the difficult economic situation these countries currently face and to the lack of time at their disposal for carrying out these new reforms properly.

## Meeting the challenge

It is clear that the purpose of labor inspection should go beyond the strict control of respect of regulations, in order to be effective at the level of prevention, to meet the needs of workers by better adapted services, and to help the social partners deal with their problems. To fulfil its responsibilities in these three areas, labor inspection must develop common basic functions such as information, advice and training, or assistance in the settling of individual disputes.

In the final analysis, the challenges facing the countries of Central and Eastern Europe are the concern of all three social partners.

– Governments should adopt a comprehensive, global and integrated policy approach to labor protection and the working environment, and should set up an independent, integrated state labor inspectorate capable of implementing it.
– Employers should understand that good labor protection invariably means good business.
– Workers should be aware that their health should not be the price for higher salaries or early retirement.

Demands for further ILO high-level tripartite missions to meet these challenges have been received from several countries, and new expert consultancy services on labor inspection issues are being prepared. It should be added that the current situation of former Communist countries also adds new responsibilities for labor inspection and that the experience of these countries can aid the ILO to deepen its own concept of the role of labor inspection services which are so necessary and so vital to the safety and health of workers. ❑

**ILO official, Labor Administration Branch.*

# Liberalizing labor relations in Brazil

Walter Barelli*

***Relations between employers and workers in Brazil have suffered until now from excessive State intervention. Mr. Walter Barelli, the new Minister of Labor, intends to remove these barriers and facilitate free negotiation of employment and working conditions between the social partners. A redefinition of the system of labor relations, "founded upon the pillars of democratic values, economic feasibility and effective protection of workers," is the subject of extensive discussion.***

Labour relations in Brazil are characterized by a strong degree of state regulation and intervention that conflicts with effective implementation of collective agreements.

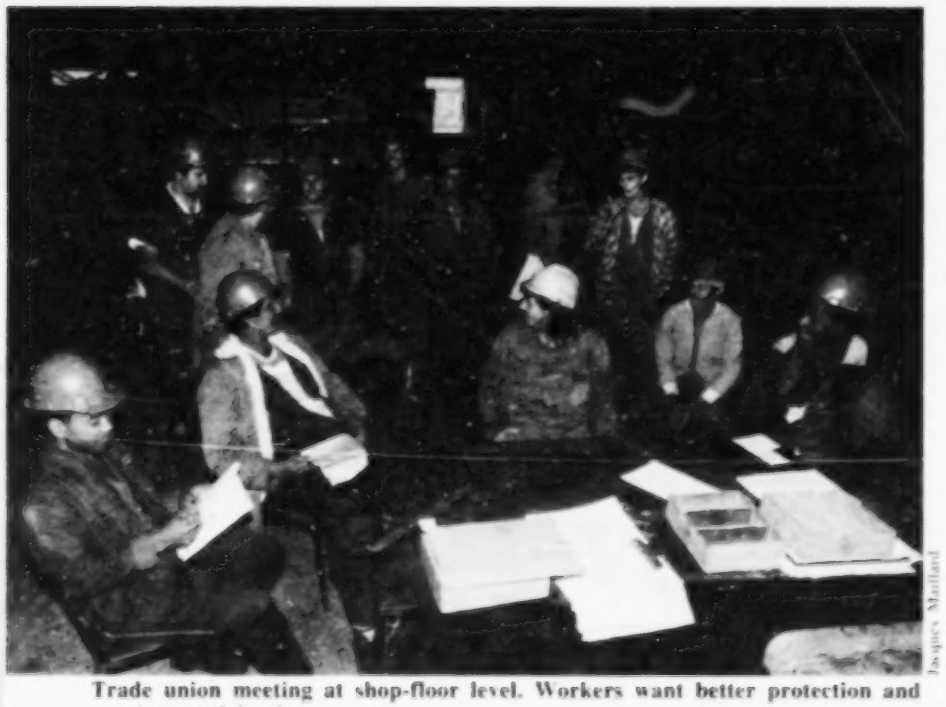
The result is a legal framework that provides less and less protection to workers, does not respond adequately to the rapid changes in the world of work, and does not allow for the free development of collective bargaining. The basic thrust of the legal framework is to control union organization, limit the scope of collective agreements and repress and disqualify the workers' right to strike.

## Outdated regulations

Despite the alterations introduced over the years since Brazilian labor legislation was consolidated in the early 1930s, the nation's labor relations system imposes a set of rules reducing the scope of collective bargaining, for example the number of workers covered and the level of negotiations. The basis of the Brazilian industrial relations system is to maintain control of collective labor agreements, to limit them, even to repress them, while fostering the application of Government regulations to individual cases, in order to make up for the absence of true collective agreements negotiated by the partners.

While collective agreements are practically impossible to establish, there exists a body of labor legislation that regulates individual labor relations in an extremely precise and even bureaucratic fashion.

Despite some degree of tension in recent years, which has not been sufficient to jeopardize existing legislation, the vitality of this system of individual labor relations to the detriment of collective bargaining has, with rare exceptions, proved to be relatively workable.



Jacques Maillard

**Trade union meeting at shop-floor level. Workers want better protection and greater participation.**

## The beginnings of the break

The break with authoritarianism began in the protest movements promoted mainly by the State of Sao Paulo metalworkers towards the end of the 1970s that catalyzed the latent spirit of democratic liberalization. These events had a strong impact on Brazilian life and contributed decisively to the new process of democratization of the country. In the context of labor law, the period

was essentially one of intransigent defence of freedom of association.

At the legislative level, the combination of the defence of freedom of association with the process of the democratic restructuring of the country was consolidated through the Constitution of 1988, which established specific labor rights as basic social rights. But despite the broadening of these rights, labor relations remain at a standstill. The simple acquisition of new constitutional rights, coupled with the legal incorporation of trade union rights, was not capable of reversing the crisis in labor relations in our country.

### A new system of labor relations

In view of the dimensions of the problem, we are now beginning extensive discussion in Brazilian society to determine the basic premises for a redefinition of our system of labor relations, founded upon the pillars of democratic values, economic feasibility and effective protection of workers.

The goal of the "collective labor agreement" project is to raise labor relations to a higher level, based on freedom and the collective autonomy of the partners; reconsideration of the role of the State in labor relations; the need for higher levels of productivity in the different economic sectors; and the importance of workers' participation in economic benefits. In short, the adoption of an ethical approach to labor relations.

But the desire to attain the collective labor agreements is not enough to bring it into being. Its elaboration necessitates fulfillment of certain conditions. It is therefore a long and very complex task. To arrive at the dynamics that will make it possible to develop the collective labor agreements, we will have to modify radically the principles and foundations of the current system, seeking to develop a new system that

- provides increasing worker protection;
- responds in a fast and secure manner to the dynamics of the labor process and economic transformation, making it possible to negotiate adaptation and flexibility;
- is effective in contributing to freedom of association and trade union autonomy, to stimulation of collective bargaining and guarantee the exercise of the right to strike. ❑

**Brazilian Minister of Labor*

International Labor Conference

# The future of technical cooperation

During its 80th Session from 2 to 22 June in Geneva, the International Labor Conference will discuss new ILO strategies for technical cooperation. In the framework of active partnership, this basically concerns bringing the Organization closer to its tripartite constituents in order the better to understand their needs and respond more efficiently to them.

The government, employer and worker delegates will debate the concrete implications of this strategy during general discussion of the agenda topic "The role of the ILO in technical cooperation".

"The majority of these programs now require an integrated approach", states the report prepared by the ILO for this discussion. More specialists should be located in the field, to provide a rapid response to policy issues and problems as they arise. The main instrument in this new approach will be multidisciplinary teams.

After pointing out that policy decisions adopted by the United Nations General Assembly have stressed the need for decentralization, and the greatest possible delegation of authority to officials at country level, the report emphasizes two basic characteristics of the ILO technical assistance: promoting the social policy and protection objectives within its central mandate; and, as a tripartite organization, strengthening employers' and workers' organizations as well as governmental structures.

For many years the search for a real synergy between standards and technical cooperation has been among the major preoccupations of the Organization. In joint determination of specific objectives and by maintaining a constant dialog, the ILO and its tripartite constituents should allow this synergy to operate in two directions: standards better adapted to needs, and activities in the field allowing better application of the principles stated in the standards.

One of the bases of the new ILO strategy in technical cooperation will thus be the concern to define national objectives in each country in consultation with the tripartite constituents: studies carried out in four African countries were conclusive and will be applied more generally. The first practical implication will be significant reinforcement of the ILO's field structure. The field offices will have responsibility for the identification of needs and the development of ILO activities in the countries covered, in consultation with the tripartite constituency and donors.

The main purpose of the multidisciplinary teams will be to provide technical support and guidance for ILO activities. Their technical skills will vary and change over time, in accordance with specific needs, and they will work in close collaboration with governments, employers' and workers' organizations as well as donor countries.

Fourteen teams are currently envisaged and being prepared: five in Africa, four in Latin America and the Caribbean, three in Asia, one in Central and Eastern Europe, and one in the Arab States. The first was established towards the end of 1992.

Among other matters, the Conference delegates may wish to consider whether this strategic response is appropriate and make recommendations on its implementation.

The agenda for the 80th Session of the Conference also includes a discussion of the Director-General's report on the evolution of social security and social protection systems throughout the world, the adoption of new standards on the prevention of major industrial accidents, the first discussion of a project for standards on part-time work, the adoption of the budget for 1994-95 and the election of members of the Governing Body of the ILO.

# From ideological conflict to new approaches

***From the end of the Second World War to the fall of the Berlin Wall and the collapse of the Soviet Union at the end of the 1980s, the ILO has been one of the ideological battle grounds between East and West. The free-market economy has now taken a decisive lead over centralized planning. But what role in this new context should the social partners play, as well as the ILO itself?***

I first attended an ILO Conference in 1953; but to understand why a young 32-year-old small-company executive had been invited to join the U.S. Employer Delegation, we have to go back eleven years, to 1942.

That was a momentous year for me: I graduated from the Massachusetts Institute of Technology (MIT), my father died unexpectedly, and I suddenly found myself running a small company producing a wide variety of metal parts vital to the war effort.

For the following three years the company operated three shifts, 24 hours each day, seven days a week, without any serious problem between management and the workers, despite the fact that four different trade unions represented less than 1,000 workers in a single facility. Management and labor alike were dedicated to the all-consuming task of winning the war.

When World War II ended in 1945, the relationship between the management of the company and the workforce suddenly turned sour. A six-week strike in 1945 coincided almost exactly with the end of the war and was followed by an eight-week strike the very next year.

I decided that if our little company were going to survive, I had better learn a lot more about human relations than I apparently knew!

The first and most important thing I learned was that workers and their employers approached almost any problem with a completely different view of the facts. Workers had been told repeatedly by union organizers anxious to enroll new members and by politicians anxious to gain support and votes that it was only selfish greed that prevented employers from being more generous at the bargaining table.

***Mr. Charles H. Smith, who from 1953 to 1993 represented U.S. employers at various levels at the ILO, here answers the question, after explaining the reasons for his involvement and some of the key events of the period.****

Employers, on the other hand, were confronted with the hard reality of competition in the marketplace and the certainty that every rise in costs created more difficulties in the constant fight to survive and maintain a healthy growing company. The irony for me was that it seemed perfectly obvious that, for the most part, the important interests of the workers and also of the employers and owners of any company were parallel and often identical. The ambitions of both workers and their employers depended on a strong, healthy, expanding workplace.

We launched a massive and sincere effort to explain to our employees how the free competitive market system works and how it affects the job and livelihood of every worker. We made an effort to explain the company's success and its disappointments honestly and completely. At the end of each financial year we presented a report to our employees, expressed not in the financial language of bankers and auditors, but in the everyday language used on the shop floor.

This type of direct communication with workers was relatively uncommon in the United States in the late 1940s and early 1950s. Our little company and myself as its Chief Executive Officer began to draw attention from those involved in labor relations matters. I was asked to serve on the Industrial Relations Committee of the National Association of Manufacturers (NAM), and subsequently on the Labor Relations Committee of the Chamber of Commerce of the United States.

In the spring of 1953 I was invited by the National Chamber of Commerce to serve on the U.S. Employer Delegation to the International Labor Conference as an advisor to Charlie Shaw, an executive of the Standard Oil Company of New Jersey (ESSO) who had responsibility in that company for international labor relations. The U.S. Employer Delegation to the ILO was a large one that year and I was its youngest member.

## The Soviet bloc

The only Communist country represented at the International Labor Conference of 1953 was Yugoslavia. When

T. ques Maillard

**Charles H. Smith** *(front row first from left)* **served as U.S. Employer Delegate from 1975 through the 1992 Conference (except for 1977-1980, when the United States was not a member of the ILO).**

the USSR rejoined the ILO the following year, it brought along the East European countries that had fallen under its domination. The next U.S. Employer Delegate, Will McGrath, came to believe that the International Labor Organization was controlled by European socialism – an anathema to any advocate of the free market.

Worse yet, in Will's view, was the likelihood that the ILO would soon be controlled by the Communists, who could deliver a solid bloc of 32 votes on any issue (eight member States multiplied by four delegates each, as the worker and employer delegates always voted with the government delegates).

Upon his return from the 1955 Conference, McGrath submitted a formal recommendation to President Eisenhower that the United States should withdraw promptly from the ILO. Needless to say this recommendation received considerable attention, particularly from the U.S. national business organizations. Eventually, both the NAM and the Chamber of Commerce passed identical resolutions which indicated that 1956 would be the last year they would nominate Employer Delegations unless there was "real improvement" in the ILO.

In 1956 I was asked to serve as the U.S. Employer Delegate to the Conference. The position of U.S. businessmen had become common knowledge by this time, and countless delegates from both employer and government ranks sought me out to impress upon me the need for continued U.S. employer participation. In my report to the U.S. Chamber and the NAM I stated that despite lack of "improvement" in the ILO as I understood their definition of the term, I thought it would be a serious mistake for the U.S. business community to separate itself from the International Labor Organization.

Eventually a majority of the members of the boards of both the NAM and the Chamber of Commerce agreed to continue participation in ILO activities. I served as U.S. Employer Delegate from 1975 through the 1992 Conference (except for 1977-1980, when the United States was not a member of the ILO). In 1993 the responsibility passes to James Burge, Corporate Vice President of Motorola, Inc.

## U.S. withdrawal from the ILO

I cannot conclude this summary of almost 40 years of association with the International Labor Organization without commenting on the withdrawal of the United States from the Organization in 1977, because this event had a profound effect on United States Employer representation in the ILO.

The American social partners and the U.S. government were in complete accord that the International Labor Organization was headed down a path that could only lead to disaster. In its official letter giving notice of its intent to leave the organization, the United States Government cited four principal concerns which I repeat here only to make the point that the entire U.S. Delegation, workers, employers and government alike, agreed on them:

1) the dual standard that the ILO applied to the effort to enforce standards;

2) the disregard of due process;

3) the move away from tripartism; and

4) the over-politicalization of the Organization.

It came as no surprise to me that, as the two-year waiting period drew to a close, the United States did in fact leave the Organization. The staff of the U.S. Chamber (then the sole U.S. business organization nominating employer delegations) had recommended that the Chamber should resign from the International Organization of Employers (IOE), thus severing its last tie to ILO activities. As a former Chairman, I was able to convince the Board of Directors of the U.S. Chamber of Commerce not to act on the proposed withdrawal from the IOE until a suitable substitute U.S. business organization had been identified.

A few of us who were deeply interested in preserving the influence of the U.S. business community within the International Organization of Employers and the ILO set out to find such an organization. Eventually an agreement was reached whereby the United States Council of the International Chamber of Commerce changed its name (now the United States Council for International Business), became a member of the IOE, and agreed to take over the responsibilities of the United States Chamber of Commerce to nominate Employer Delegations to ILO meetings and Conferences.

After President Carter sent a notice to the ILO Director-General in early 1980 that the United States was prepared to rejoin the ILO, I agreed to serve as delegate for a short time, but I was not prepared to serve on the Governing Body as well. In the ensuing years the President of the U.S. Council for International Business has been the candidate from the U.S. Employers for a seat on the Governing Body. Little did I realize that the "short time" for which I agreed to serve as the Employer Delegate would grow into a dozen years.

Jacques Maillard

**The intangible object: to improve employment and working conditions everywhere in the world. The economic success of every enterprise depends on "steadily increasing the productivity, the output of the enterprise". "The ILO can make a major contribution to the future peace and stability of the world's economies by working to achieve real cooperation between workers, their representatives and their employers."**

## A new approach

As I look back over almost 40 years of active involvement with the International Labor Organization, and think of the changes the last five years have brought, and ponder the future, I am convinced that the ILO must devise a completely new approach to its basic task of improving the standards of living for the world's workers. For altogether too long a time, the basic strategy of the Organization and too much of its limited resources have been devoted to attempting to improve the conditions for workers by regulation, without giving sufficient attention to the need for creating economic conditions that make improved standards possible.

## The economic pie

It is time we recognize that to overcome the dire poverty that exists in many parts of the world in this last decade of the Twentieth Century, we have to increase the size of the economic pie – we have to create more material goods and services.

If poverty could be overcome by regulation, it would surely have disappeared from the face of the earth years ago; the ILO has passed enough instruments to banish poverty forever if it were possible to do this by regulation. And the irony resulting from our concentration on developing standards is that these standards do very little to help workers in an economy that lacks the resources to maintain them, and may even retard the economic progress that could make improved conditions possible.

For altogether too long the very structure of the International Labor Organization has pitted workers against employers and employers against workers in a struggle to seek the most advantageous wording in documents that have very little to do with increasing the size of the economic pie. It is time that the ILO devote a major effort to getting workers and their employers to work harmoniously toward the common objective that benefits everyone.

The economic success of every enterprise depends on steadily increasing the productivity, the output of that enterprise. If workers are to have the opportunity for steadily improved working conditions and higher standards of living, their employer must be economically successful. In no other way can workers attain these goals on any lasting basis. The ILO can make a major contribution to the future peace and stability of the world's economies by working to achieve real cooperation between workers, their representatives and their employers.

Last, in the opinion of this United States employer, and in the opinion of most United States Employer Delegates of the past four decades, indeed in the opinion of most American business executives, the International Labor Office has too often sought socialist solutions to many of the questions before it.

## Socialism in chaos

The world's largest and most complete attempt to establish socialism has ended in chaos, economic disaster and recognized failure. It is time for the International Labor Office to recognize that socialist solutions are seldom the best answer to economic or social problems, and to incorporate that recognition in the documents that are prepared by the Organization for the consideration of the member states. ❑

**This article is an extract from a more detailed contribution by Mr. Smith. The complete version may be obtained from the Bureau for Employers' Activities, ILO, CH 1211 Geneva 22.*

***Open forum*** **is available to all participants and observers within the world of work who wish to express a personal point of view on any subject of interest to the ILO.**

# Media shelf

## In print

■ **International Labor Review,** *ISSN 0020-7780. Annual subscription (1993) 75 Swiss francs, £30 or $60; prices of single issues on request.*

As from the first issue of 1993, the ILR will contain two additional sections: *News Briefs* which presents short factual accounts of events marking the current social and economic scene in a given country or region; and *News features*, which will probe deeper into recent developments or an emerging situation at national or international level.

Another innovation is the regular column to be contributed by the International Industrial Relations Association (IIRA) in which members will provide brief reports on the latest developments in industrial relations.

There then follow the customary articles based on in-depth research and analysis familiar to *Review* readers.

In this issue they will concern equal pay and criteria for establishing the value of work, the employment and working conditions of low-skilled workers, training strategies of Canadian companies in response to new safety regulations, the implications for production of new technologies and organizational techniques in Brazil, and the limitations of drug screening at the workplace.

■ **Retraining – not redundancy**. Innovative approaches to industrial restructuring in Germany and France: by Gerhard Bosch. International Institute of Labor Studies, Geneva. *ISBN 92-9014-473-4. 30 Swiss francs.*

During the 1980s the threat of mass redundancies hung over large firms in manufacturing industry in both Germany and France. Large numbers of workers lost their jobs and redundancies pay became an increasingly unsatisfactory way of counteracting the social consequences of large-scale dismissals.

Gerhard Bosch examines employment plans in Germany and reconversion policies in France and describes in detail the problems raised by these new approaches. He argues for a more active labor market policy to ease the pace of structural change.

### Further reading on child labor

■ **Conditions of Work Digest. Child labor: law and practice**. Vol. 10, No. 1/1991. *ISBN 92-2-107751-9. 45 Swiss Francs.*

This issue provides a factual and analytical review of law and practice on child labor throughout the world. It contains facts on national and sectoral legal provisions on basic minimum age of admission to employment; major international labor standards, national policies and legislation and enforcement and implementation of international Conventions on child labor.

This is an essential reference work for national policy-makers and those interested in exerting pressure on governments to ensure a better deal for the millions of child workers subjected to exploitation.

■ **Children and hazardous work in the Philippines**: by Victoria Rialp, ILO, Geneva, 1993. *ISBN 92-2-106474-3. 15 Swiss francs.*

The elimination of child labor remains a grave problem in many areas despite attempts at legislation by governments throughout the world. The author demonstrates the change in emphasis taking place in the Philippines, from legislative intervention to direct action at the local level. The crucial roles of advocacy and community mobilization are both highlighted in this study.

■ **Child labor in Sri Lanka**: by S.W.E. Goonesekere, 1993. *ISBN 92-2-106473-5. 15 Swiss francs.*

Child labor in the informal sector continues to hinder social progress in Sri Lanka despite the country's reputation in the developing world for its provision of welfare services and education. This report highlights government measures to eliminate child employment. The author argues that collaborative efforts on the part of the Government, NGOs and international agencies could lead to innovative approaches to the problem.

■ **Child Labor: A guide to project design:** by Alec Fyfe. ILO, Geneva, 1993. *ISBN 92-2-108005-6. 17.50 Swiss francs.*

This manual aims to help policy-makers and practitioners design practical and targeted projects by applying the techniques of project design to the problem of child labor.

■ **Combating Child Labor**, edited by Assefa Bequele and Jo Boyden. *ISBN 92-2-106389-5. 30 Swiss Francs.*

For millions of children work is an ordeal, a source of suffering and exploitation, and an abuse of human rights.

This book presents case studies from Africa, Asia and Latin America vividly describing the harsh reality of children's work in various industries and occupations and how new and practical ways of combating child labor are paying dividents.

■ **Child labor: a briefing manual**. *ISBN 92-2-105639-2. 15 Swiss francs.*

The ILO's work on child labor has shown the need for intensified action in the area of information dissemination to create greater public awareness and to enhance the advocacy role of national and international organizations. This manual should be useful to policy-makers in government and in workers' and other NGOs concerned with the protection of working children and the elimination of child labor.

■ **Safety and health in opencast mines.** An ILO code of practice *ISBN 92-2-107103-0. 20 Swiss francs.*

Opencast mines may not be as dangerous as underground mines but they should respect a wide range of provisions in order to minimize safety and health risks to workers and people living nearby. This code is intended for people responsible for occupational safety and health in opencast mining, and to provide guidance to policy-makers, public authorities, health and safety committees and employers' and workers' organizations.

## On film

● **FILMS and CLIPS**:

– ***Working Children,*** Appx. 6 minutes, English, 1989.

They make bricks in Colombia, dive for fish in the Philippines or tan leather in Egypt. Their work can be highly mechanized, or involve the use of toxic substances. They can be easily hired and fired; they cannot join trade unions. They are more than 100 million around the world...working children.

– ***A day in the life of Miguelito Valdez,*** 3 minutes, English, 1988.

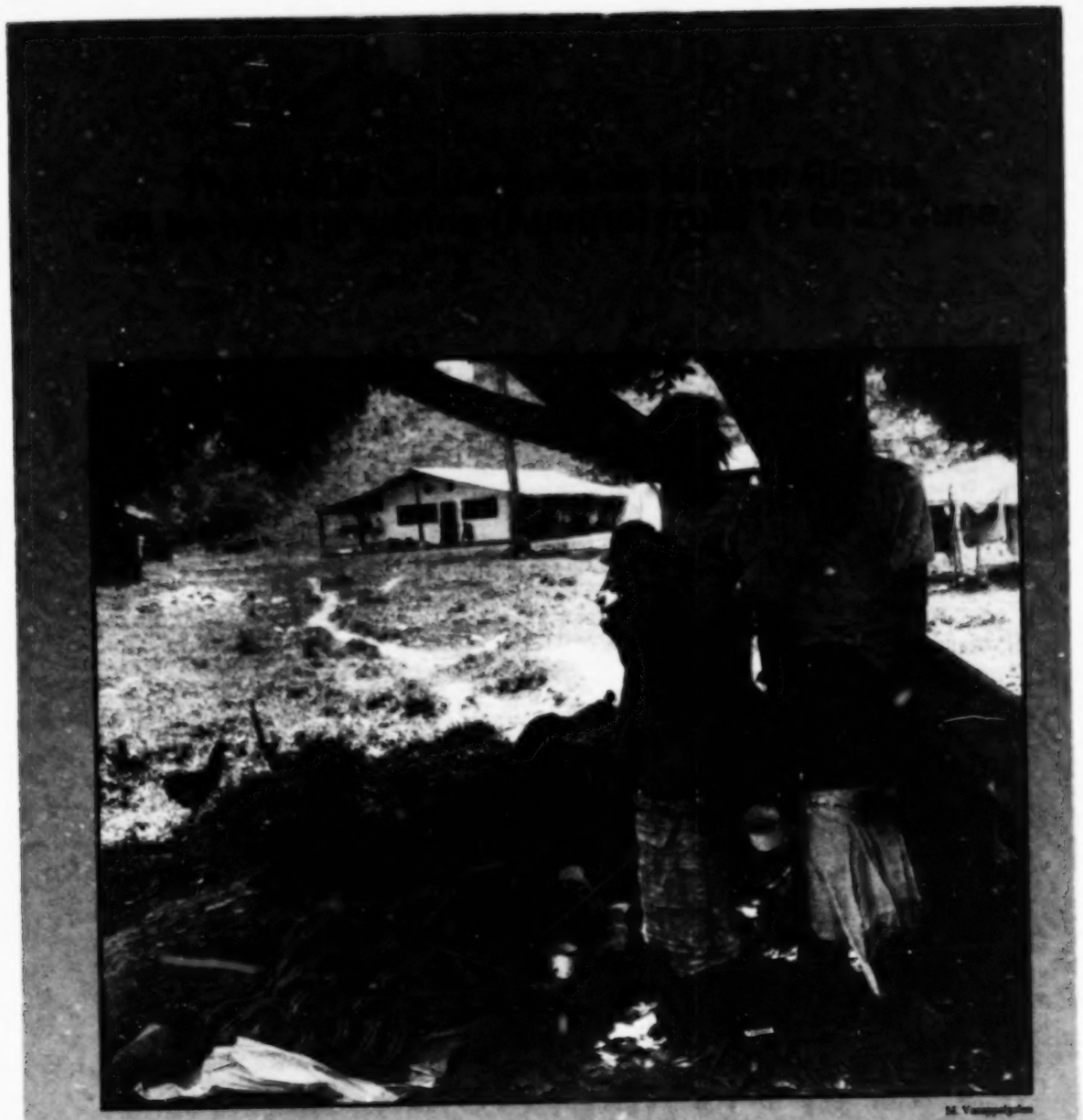
Since he was five, Miguelito Valdez has worked for a living in the streets of Lima (Peru). At the age of 11, he is the only breadwinner in his family. When he is not cleaning cars in the streets, he goes to school in a community center. He wants to become an engineer.

– ***The brickmakers of Los Chircales,*** 3 minutes, English, 1990.

Most children in the industrialized world learn their first skills playing with toy bricks. In Los Chircales, a slum area in Bogota (Colombia), children make, handle and carry hot coal bricks.

*For more information contact Miguel Schapira or Elizabeth Poss, Bureau of Public Information, ILO, 4 Route des Morillons, CH-1211 Geneva 22, Switzerland. Tel.: (022) 7996575; (022) 7997949; fax: 0041-22 7883894.*

ILO publications can be obtained through major booksellers or ILO local offices in many countries, or directly from ILO Publications, International Labor Office, CH-1211 Geneva 22, Switzerland. A catalog or list of new publications will be sent free of charge from the above address.



M. Vanappelghem

**"All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity."**

*(Declaration of Philadelphia, annexed to the ILO Constitution)*

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Created in 1919, the International Labor Organization (ILO) brings together governments, employers and workers of its 162 member States in common action to improve social protection and conditions of life and work throughout the world. The International Labor Office, in Geneva, is the permanent Secretariat of the Organization.